

1 CHAPIN WHEELER LLP
Edward D. Chapin, Esq. (Bar No. 053287)
2 Jill M. Sullivan, Esq. (Bar No. 185757)
Douglas J. Brown, Esq. (Bar No. 248673)
3 550 West C Street, Suite 2000
San Diego, California 92101
4 Telephone: (619) 241-4810
Facsimile: (619) 955-5318
5

YOUNG & SUSSER, P.C.
6 Rodger D. Young, Esq. (*Pro Hac Vice*)
Jaye Quadrozzi, Esq. (*Pro Hac Vice*)
7 26200 American Drive, Suite 305
Southfield, MI 48034
8 Telephone: (248) 353-8620
Facsimile: (248) 353-6559
9

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP
10 Jon D. Corey (Bar No. 185066)
Jon Christian Cederberg (Bar No. 76034)
11 Valerie Roddy (Bar No. 235163)
865 South Figueroa Street, 10th Floor
12 Los Angeles, California 90017-2543
Telephone: (213) 443-3000
13 Facsimile: (213) 443-3100

14 Attorneys for Plaintiff
LUNA GAMING — SAN DIEGO, LLC
15

16 UNITED STATES DISTRICT COURT
17 SOUTHERN DISTRICT OF CALIFORNIA

18 LUNA GAMING — SAN DIEGO, LLC, a
Michigan Limited Liability Company

19 Plaintiff,

20 vs.

21 DORSEY & WHITNEY, LLP; HOLLAND &
22 KNIGHT, LLP; BLEDSOE DOWNES &
ROSIER, P.C.; JAMES TOWNSEND;
23 PHILIP M. BAKER-SHENK; and BRADLEY
GRANT BLEDSOE DOWNES, jointly and
24 severally,

25 Defendant.
26
27
28

CASE NO. 06-cv-2804-BTM-WMc

**PLAINTIFF'S FIRST AMENDED
PRETRIAL DISCLOSURES PURSUANT
TO FEDERAL RULE OF CIVIL
PROCEDURE 26(A)(3)**

1 Pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure, Plaintiff Luna Gaming
2 — San Diego, through its counsel, makes the following amended disclosures:

3 **I. Witnesses**

4 Plaintiff expects to present the following witnesses at trial:

- 5 1. Philip M. Baker-Shenk
6 c/o Klinedinst PC
7 501 West Broadway, Suite 600
8 San Diego, CA 92101
9 Telephone: (619) 239-8131
- 10 2. Bradley M. Bledsoe-Downes
11 c/o Gordon & Rees, LLP
12 101 West Broadway, Suite 1600
13 San Diego, CA 92101
14 Telephone: (619) 696-6700
- 15 3. Steven L. Braithwaite
16 c/o Quinn Emanuel Urquhart Oliver & Hedges, LLP
17 865 South Figueroa Street, 10th Floor
18 Los Angeles, CA 90017
19 Telephone: (213) 443-3000
- 20 4. Thomas Celani
21 c/o Quinn Emanuel Urquhart Oliver & Hedges, LLP
22 865 South Figueroa Street, 10th Floor
23 Los Angeles, CA 90017
24 Telephone: (213) 443-3000
- 25 5. Michael Cox
26 c/o Quinn Emanuel Urquhart Oliver & Hedges, LLP
27 865 South Figueroa Street, 10th Floor
28 Los Angeles, CA 90017
Telephone: (213) 443-3000
6. Joseph D'Agostino
c/o Quinn Emanuel Urquhart Oliver & Hedges, LLP
865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017
Telephone: (213) 443-3000
7. Mark Jarboe
c/o Reed Smith LLP
344 South Grand Avenue, Suite 2900
Los Angeles, CA 90071
Telephone: (213) 457-8000

- 1 8. Norman Nickin
2 19897 Myron Drive
3 Livonia, MI 48152-1253
4 Telephone: (248) 646-0000
- 5 9. James Oegema
6 c/o Quinn Emanuel Urquhart Oliver & Hedges, LLP
7 865 South Figueroa Street, 10th Floor
8 Los Angeles, CA 90017
9 Telephone: (213) 443-3000
- 10 10. William Perrone
11 c/o Dykema Gossett PLLC
12 Capitol View
13 201 Townsend Street, Suite 900
14 Lansing, MI 48933
15 Telephone: 517.374.9100
- 16 11. Peter Thompson
17 c/o Quinn Emanuel Urquhart Oliver & Hedges, LLP
18 865 South Figueroa Street, 10th Floor
19 Los Angeles, CA 90017
20 Telephone: (213) 443-3000
- 21 12. James Townsend
22 c/o Reed Smith LLP
23 344 South Grand Avenue, Suite 2900
24 Los Angeles, CA 90071
25 Telephone: (213) 457-8000
- 26 13. William J. Wernz
27 c/o Reed Smith LLP
28 344 South Grand Avenue, Suite 2900
 Los Angeles, CA 90071
 Telephone: (213) 457-8000

Plaintiff may call the following witnesses at trial if the need arises:

1. Joseph E. Bulfer
 10523 Caminito Pollo
 San Diego, CA 92126
 Telephone: (619) 925-2910
2. Custodian of Records of Dorsey & Whitney, LLP
 c/o Reed Smith LLP
 344 South Grand Avenue, Suite 2900
 Los Angeles, CA 90071
 Telephone: (213) 457-8000

3. Custodian of Records of Holland & Knight, LLP
c/o Klinedinst PC
501 West Broadway, Suite 600
San Diego, CA 92101
Telephone: (619) 239-8131
4. Eric Eberhard
c/o Reed Smith LLP
344 South Grand Avenue, Suite 2900
Los Angeles, CA 90071
Telephone: (213) 457-8000
5. Leonard Goldstein
Address information currently unknown
6. Steven Liedel
Legal Counsel
Executive Office of the Governor
P.O. Box 30013
111 South Capitol Ave., 2nd Floor
Lansing, MI 48933
Telephone: (517) 373-3400
7. Richard Meltzer
1001 Pennsylvania Ave., NW
Washington, D.C. 20004
Telephone: (202) 857-0044
8. John Peebles
1001 Second Street
Sacramento, CA 95814
Telephone: (916) 441-2700
9. Frank Riolo
c/o Phillip C. Samouris
Higgs Fletcher & Mack LLP
401 West A Street, Suite 2600
San Diego, CA 92101-7910
Telephone: (619) 236-1551
10. Lawrence Rosenthal
6107 29th St. N
Arlington, VA 22207-1115
Telephone: (202) 419-3527

1 11. Robert Saxton
2 c/o Mark Lerner
3 Bally Technologies
4 6601 South Bermuda Road
 Las Vegas, NV 89119
 Telephone: (702) 584-7700

5 12. Diane Vitols
6 c/o Phillip C. Samouris
7 Higgs Fletcher & Mack LLP
8 401 West A Street, Suite 2600
 San Diego, CA 92101-7910
 Telephone: (619) 236-1551

9 13. Paul Welday
10 26725 Holly Hill
11 Farmington Hills, MI 48334
 Telephone: (248) 320-0035

12 Plaintiff reserves the right to call any and all witnesses listed by the defendants or any
13 witnesses necessary for rebuttal or impeachment.

14 **II. Deposition Designations**

15 Pursuant to the June 2, 2009 Order, the exchange of deposition designations is postponed
16 until thirty days before trial. Plaintiff anticipates that it will present the testimony of Glenn
17 Feldman and, if unavailable to testify in person, William Perrone, by deposition designations.

18 **III. Documents and Other Exhibits**

19 A list of the documents and exhibits Plaintiff intends to offer or may offer at trial is
20 attached hereto as Exhibit A. Plaintiff's investigation is ongoing, and discovery disputes remain
21 outstanding that may result in the production of additional documents in this litigation. Plaintiff
22 expressly reserves the right to add additional documents to its exhibit list as they may be located.
23 Summary judgment and summary adjudication motions also remain pending, and Plaintiff
24 expressly reserves the right to remove exhibits from its exhibit list. The inclusion of an exhibit on
25 Plaintiff's exhibit list is not a waiver of any objection Plaintiff might assert to any defendant's use
26 of the exhibit in pre-trial proceedings or at trial, and Plaintiff expressly reserves its right to object
27 to any exhibit offered by any defendant in this matter.
28

* * *

Plaintiff reserves the right to supplement or amend these disclosures and to introduce into evidence any documents identified by defendants. Plaintiff also reserves the right to introduce rebuttal or impeachment evidence and/or exhibits.

DATED: June 5, 2009

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

By /s/ Jon Corey

Jon Corey

Email: joncorey@quinnemanuel.com

Attorneys for Plaintiff

LUNA GAMING — SAN DIEGO, LLC

EXHIBIT A

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0002 | n/a | CV of Donald Buch | n/a | n/a | May |
| P0003 | 11/4/1999 | Letter from Buch to Celani | BUCH034603 | BUCH034603 | May |
| P0004 | 11/16/1999 | Fax transmittal from Buch to Celani | BUCH034599 | BUCH034600 | May |
| P0009 | 12/6/1999 | Fax transmittal from Buch to Carr and Celani with Memorandum attached re Summary of 11/29 Trip to N. Calif. | BUCH034606 | BUCH034612 | Will |
| P0010 | 12/21/1999 | Fax transmittal from Buch to Celani 12/21/1999 with 12/21/1999 Memo attached. | BUCH034628 | BUCH034630 | Will |
| P0011 | 1/11/2000 | Memorandum from Buch to Celani, Carr 01/11/2000 re: "Weekly" update -- January 11, 2000. | BUCH034614 | BUCH034616 | Will |
| P0012 | 1/11/2000 | Memorandum from Buch to Celani, Carr 01/11/2000 re: Cuyapaipe Band -- Alpine, California -- Conversation with Bob Saxton. | BUCH002935 | BUCH002937 | Will |
| P0013 | 1/11/2000 | Memorandum from Buch to Celani, Carr 01/11/2000 re: Cuyapaipe Band -- Alpine California -- Conversation with Jim Townsend. | BUCH030040 | BUCH030041 | Will |
| P0014 | 1/23/2000 | Memorandum from Buch to Celani, Carr 01/23/2000 Re: Cuyapaipe Proposal. | BUCH034604 | BUCH034605 | Will |
| P0015 | 3/29/2000 | Development Agreement between the Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California and Action Gaming LLC a Michigan limited liability company dated 03/29/2000. | DW-P019012 | DW-P019058 | Will |
| P0015A | n/a | Exhibit list - Development Agreement | DW-P019058 | DW-P019058 | Will |
| P0016 | 3/29/2000 | Management Agreement between the Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California and Action Gaming LLC a Michigan limited liability company dated 03/29/2000. | DW-P000678 | DW-P000736 | May |
| P0018 | 9/6/2002 | Letter from Celani to Pinto re: August 26, 2000 Correspondence. Dated 09/06/2002. | LUNA033372 | LUNA033376 | May |
| P0019 | 10/18/2002 | Email from Downes to Buch etc. re: Ewiiapaayp Article -- Omnibus Bill. | DW-P006126 | DW-P006128 | May |
| P0020 | 2/26/2001 | Email from Nickin to Ron Saiki. | DW-P007499 | DW-P007499 | Will |
| P0021 | 3/17/2000 | Letter from Townsend to Peebles | DW-P006813 | DW-P006815 | Will |
| P0022 | 4/12/2000 | Letter from Townsend to Peebles 04/12/2000 re: First Nation Gaming ("FNG") and the Ewiiapaayp Band of Mission Indians ("Band"). | DW-P006788 | DW-P006790 | Will |
| P0023 | 5/10/2000 | Letter from Pinto to Deer, 05/10/2000 re: Request for Review and Approval of Management Contract. | DW-P029439 | DW-P029440 | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0024 | 3/23/2001 | Letter from Downes to Virgil Townsend, BIA. Re: Ewiiapaayp Band of Kumeyaay Indians - Fee to Trust Application - Walker Site. | DW-P022405 | DW-P022406 | Will |
| P0025 | 8/30/2001 | Letter from Oegema to Stuckwisch, NIGC, re: Gaming Management Agreement between Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California and Luna Gaming -- San Diego LLC. | DW-P011729 | DW-P011731 | May |
| P0026 | 6/13/2002 | Letter from Downes to Jaeger, BIA, re: Walker Property; Contiguous Property Determination. | DW-P022635 | DW-P022641 | Will |
| P0027 | 2/3/2003 | Letter from Downes to Stuckwisch, NIGC, re: Gaming Management Agreement between Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California and Luna Gaming -- San Diego LLC. | DW-P041397 | DW-P041406 | Will |
| P0028 | 4/14/2000 | Letter from Oegema to Cuyapaipe Band dated 04/14/2000 re: Action gaming LLC Representatives on the Business Board. | LUNA021691 | LUNA021691 | Will |
| P0029 | 12/18/2002 | Business Board Resolution (Payment) | LUNA022616 | LUNA022617 | Will |
| P0030 | 5/14/2001 | Email from Jarboe to Oegema re: FW Dorsey Fees. | LUNA015266 | LUNA015266 | Will |
| P0031 | 4/1/2003 | Letter from Celani to Pinto dated April 1, 2003 re: Casino Development Project. | BDR000189 | BDR000191 | May |
| P0032 | 8/29/2000 | Memorandum from Townsend to Tony Pinto, James Pinto, Cuyapaipe Tribal Council, Penney, Celani, Buch re: Negotiations with Southern Indian Health Council. | DW-P032229 | DW-P032232 | Will |
| P0033 | n/a | (partial?) memorandum, undated, unsigned. | BUCH000513 | BUCH000514 | May |
| P0034 | 9/20/2001 | Email from Buch to King re: Viejas Update of Sept. 20. | BUCH039886 | BUCH039886 | May |
| P0035 | 10/21/2002 | Email from Fabiani to Buch re: Viejas Position. | BUCH040184 | BUCH040184 | May |
| P0036 | 3/17/2002 | Email from Micklin to Buch re: Watkins Meeting. | DW-P006237 | DW-P006240 | May |
| P0037 | 4/11/2003 | List with handwritten notes 04/11/03 from Buch | DW-P046350 | | May |
| P0038 | 6/12/2000 | Business Board Meeting Minutes | LUNA048018 | LUNA048021 | Will |
| P0039 | 6/19/2000 | Business Board meeting Minutes | LUNA048013 | LUNA048016 | Will |
| P0040 | 6/12/2000 | Business Board Meeting Agenda | LUNA048022 | LUNA048024 | Will |
| P0043 | 6/30/2002 | Email from Buch to Baker-Shenk re: Next Moves | LUNA000054 | LUNA000055 | May |
| P0044 | 11/1/2002 | Email from Buch to Baker-Shenk re: Fax from Melnicoe re RSTF. | LUNA001940 | LUNA001940 | May |
| P0045 | 10/2/2001 | Letter from Pierce to Allbright re: San Diego - Walker Parcel, w/encl check. | LUNA032811 | LUNA032816 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|---------------------------|---------------------------|--------------|
| P0051 | n/a | CV of Thomas Carr | n/a | n/a | May |
| P0052 | 2/3/2000 | Memorandum from Buch to Carr re: Draft Brochure w/ attached Brochure: An Introduction to North American Gaming -- California. | BUCH033893; BUCH033947 | BUCH033961 | May |
| P0053 | 2/8/2000 | Brochure: North American Gaming - California. Projected Cost of Deal "Prospecting" - Year 2000. First Draft - February 8, 2000. | BUCH033962 | BUCH033962 | May |
| P0054 | 3/9/2000 | Memorandum from Buch to Carr re: Fred Hiestand Conversation; My Update - March 8, 2000. | BUCH034637 | BUCH034638 | May |
| P0055 | 3/27/2000 | Email from Jarboe to Liedel re: Finance Related Documents for Cuyapaipe Transaction. | n/a | n/a | May |
| P0056 | 6/4/2000 | List of Critical Tasks | BUCH032727 | BUCH032727 | Will |
| P0057 | 8/31/2000 | Memorandum from Buch to Celani re: Business Plan | BUCH030676 | BUCH030677 | May |
| P0058 | 9/19/2000 | Memorandum from Buch to Carr re: Dianne Jacob's August 14th letter to Virgil Townsend. | BUCH030667; BUCH030668 | DW-P027668; DW-P027669 | May |
| P0059 | 11/4/2000 | Fax transmittal from Buch to Michael/Jim/Will etc. re: Ewiiapaayp "Polling". w/ attached Polling Questionnaire. | DW-005343 | DW-005351 | May |
| P0060 | 7/25/2000 | Business Board Meeting Minutes | BUCH027997 | BUCH027998 | Will |
| P0060A | 7/25/2000 | Business Board Meeting Minutes | BUCH027999 | BUCH027999 | Will |
| P0060B | 8/22/2000 | Business Board Meeting Minutes | DW-P001955 | DW-P001957 | Will |
| P0060C | 9/5/2000 | Business Board Meeting Agenda | LUNA048002 | LUNA048003 | Will |
| P0060D | 9/5/2000 | Business Board Meeting Minutes | DW-P027797 | DW-P027798 | Will |
| P0060E | 9/18/2000 | Business Board Meeting Minutes | DW-P027653 | DW-P027654 | Will |
| P0060F | 9/25/2000 | Business Board Meeting Agenda | LUNA047881 | LUNA047882 | Will |
| P0060G | 10/3/2000 | Business Board Meeting Minute | LUNA047795 | LUNA047796 | Will |
| P0060H | 10/3/2000 | Business Board Meeting Agenda | LUNA047792 | LUNA047793 | Will |
| P0060I | 10/23/2000 | Business Board Meeting Minutes | LUNA047731 | LUNA047732 | Will |
| P0060J | 10/30/2000 | Business Board Meeting Minutes | LUNA047648 | LUNA047650 | Will |
| P0060K | 11/6/2000 | Business Board Meeting Minutes | LUNA047615 | LUNA047616 | Will |
| P0060L | 11/6/2000 | NCG Conference Call Minutes | LUNA047265 | LUNA047267 | May |
| P0060M | 11/6/2000 | Business Board Meeting Agenda | LUNA047646 | LUNA047646 | Will |
| P0060N | 11/13/2000 | Business Board Meeting Agenda | LUNA047613 | LUNA047613 | Will |
| P0060O | 11/13/2000 | Business Board Meeting Minutes | LUNA047604 | LUNA047605 | Will |
| P0060P | 11/13/2000 | NCG Conference Call | LUNA013365 | LUNA013366 | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|-----------------------|-----------------------|--------------|
| P0061 | 11/15/2000 | Email from Downes to Penney re: Ewiiapaayp H.R. 5477 Articles. | LUNA018176 | LUNA018178 | Will |
| P0063 | 3/10/2000 | Memorandum from Buch to Celani, Carr, Oegema, Townsend re: Cuyapaipe -- Conversations?) with First Nations Gaming. | BUCH000448 | BUCH000450 | Will |
| P0064 | 3/8/2000 | Memorandum from Buch to Celani, Carr re: Update - March 8, 2000. | BUCH034623 | BUCH034628 | Will |
| P0065 | 1/10/2002 | Letter from Oegema to California Gambling Control Commission re: Luna Gaming - San Diego LLC, Application for Finding of Suitability, w/ attached Application. | LUNA051762 | LUNA051766 | May |
| P0067 | 6/4/2007 | Michigan Dept of Consumer & Industry Services, Bureau of Commercial Services, Corporation Division. Company: TVC Enterprises Development Company. | n/a | n/a | May |
| P0068 | 6/4/2007 | Michigan Dept of Consumer & Industry Services, Bureau of Commercial Services, Corporation Division. Company: MJM Enterprises Development Company. | n/a | n/a | May |
| P0072 | 8/30/2001 | Email from Downes to Oegema re: Parties in interest disclosure - Luna_083001.doc | LUNA144124 | LUNA144125 | Will |
| P0073 | 8/30/2001 | Email from Oegema to Downes re: Parties in Interest Disclosure. | LUNA0144108 | LUNA0144108 | Will |
| P0074 | n/a | Graph re Luna Gaming - San Diego and Thomas Celani. | LUNA051579 | LUNA051579 | May |
| P0075 | 6/4/2007 | Michigan Dept of Consumer & Industry Services, Bureau of Commercial Services, Corporation Division. Company: Luna Gaming - San Diego LLC | n/a | n/a | May |
| P0077 | n/a | Schedule starting Monday, January 31, 2000 | BUCH032732 | BUCH032733 | May |
| P0078 | 2/1/2000 | Fax cover sheet from Townsend to Penney w/ attached Confidentiality and Nondisclosure Agreement | DW044914; DW044925 | DW044916; DW044928 | Will |
| P0079 | 2/1/2000 | Memorandum from Oegema to Townsend re: Cuyapaipe Band of Mission Indians/Thomas Celani | DW047020 | DW047022 | May |
| P0080 | 2/6/2000 | Memorandum from Buch to Celani, Carr re: "Weekly" Update -- February 6, 2000. | BUCH034617 | BUCH034622 | Will |
| P0081 | 3/7/2000 | Letter from Celani to Attn: Chairman Tony J. Pinto re: Letter of Intent for Development Agreement and Management Agreement for Gaming Facility. | DW042034 | DW042044 | Will |
| P0082 | 3/15/2000 | Memorandum from Buch to Celani re: Letter from Cuyapaipe | BUCH034597 | BUCH034598 | Will |
| P0083 | 3/26/2000 | Email from Jarboe to Perrone re: Ewiiapaayp Transition Loan Agreement | DW046784 | DW046786 | Will |
| P0084 | 7/31/2001 | Expenditure Register as of July 31, 2001. | DW-P011538 | DW-P011541 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0085 | 5/3/2001 | Summary of Dorsey & Whitney Invoices 05/03/2001 | LUNA108195 | LUNA108195 | Will |
| P0086 | 4/21/2000 | Invoice No. 774374 | LUNA162133 | LUNA162157 | Will |
| P0087 | 3/12/2007 | Email from Riolo re: Igsd - CRIT Fix. | LUNA197541 | LUNA197542 | May |
| P0088 | 10/00/1999 | Lease Relinquishment Agreement between the Cuyapaipe Band of Mission Indians and the Southern Indian Health Council, Inc. | DW-P008188 | DW-P008201 | Will |
| P0089 | 1/2/2002 | Letter from Station Casinos/Scott M. Cielson to Oegema re: Proposal to Jointly Develop and Manage Casino Facility for the Cuyapaipe Band of Mission Indians in San Diego County, California. | LUNA039488 | LUNA039502 | May |
| P0090 | 5/31/2003 | Letter from Maloof to Celani re: Ewiiapaayp Band of Kumeyaay Indians (the "Tribe") Alpine, California | LUNA038151 | LUNA038152 | May |
| P0091 | 8/27/2003 | Letter from Celani to Pinto re: Communication with Viejas. | DW006380 | DW006383 | May |
| P0092 | 9/5/2003 | Letter from Pinto to Celani re: Letter Agreement. | DW002170 | DW002172 | May |
| P0093 | 1/18/2001 | Letter from Downes to Deer/NIGC re: request for Approval of gaming Ordinance | DW005546 | DW005547 | May |
| P0094 | 8/31/2001 | Fax cover sheet from Pierce to Celani, Downes re: Luna Gaming - San Diego LLC w/ attached letter from Oegema to Stuckwisch/NIGC dated 08/30/2001 re: Gaming Management Agreement Between Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California and Luna gaming - San Diego LLC. | DW017809 | DW017811 | May |
| P0095 | 3/29/2000 | Letter from Dorsey & Whitney to Action re: Cuyapaipe Band of Mission Indians w/attachments | DW027309 | DW027365 | May |
| P0096 | n/a | Letter from Townsend to Celani undated re: Wire Transfer. | DW006463 | DW006463 | Will |
| P0097 | 12/12/2003 | Fax cover sheet from Oegema to Baker-Shenk re: Attached please find the letter we discussed w/o attachment. | HK18462 | HK18465 | Will |
| P0098 | 6/1/2001 | Email from Micklin to Buch re: Viejas Meeting | DW-P030109 | DW-P030109 | May |
| P0099 | 8/6/2003 | Letter from Celani to Pinto (unsigned) re: Casino Development Project | DW060539 | DW060540 | May |
| P0100 | 9/24/2003 | Letter from Pinto to Celani re: Joint Venture with Viejas: General Council Vote. | DW-P040918 | DW-P040918 | May |
| P0101 | 12/1/2003 | Email from Micklin to Oegema re: Fw: Viejas Response to Draft Term Sheet. | DW059217 | DW059217 | May |
| P0102 | 4/23/2001 | Letter from Pinto to Deer/NIGC re: Request to Extend term of Management Contract. | DW017874 | DW017877 | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0105 | 2/8/2007 | Letter from Pinto to Celani | BDR000080 | BDR000084 | May |
| P0106 | 9/18/2000 | Business Board Meeting minutes dated 09/18/2000 | BUCH028012 | BUCH028014 | Will |
| P0107 | 10/9/2000 | Ewiiapaayp Business Board Resolution (Payment) dated 10/09/2000 | LUNA041172 | LUNA041172 | Will |
| P0107A | 7/18/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 07/18/2005 | LUNA023906 | LUNA023906 | Will |
| P0107B | 8/24/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 08/24/2005 | LUNA023889 | LUNA023889 | Will |
| P0107C | 8/24/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 08/24/2005 | LUNA023890 | LUNA023890 | Will |
| P0107D | 10/5/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 10/05/2005 | LUNA023883 | LUNA023883 | Will |
| P0107E | 10/5/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 10/05/2005 | LUNA023884 | LUNA023884 | Will |
| P0107F | 12/8/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 12/08/2005 | LUNA023874 | LUNA023874 | Will |
| P0107G | 2/9/2006 | Ewiiapaayp Business Board Resolution (Payment) dated 02/09/2006 | LUNA023963 | LUNA023963 | Will |
| P0107H | 3/17/2006 | Ewiiapaayp Business Board Resolution (Payment) dated 03/17/2006 | LUNA023969 | LUNA023969 | Will |
| P0107I | 12/18/2002 | Ewiiapaayp Business Board Resolution (Payment) dated 12/18/2002 | LUNA023417 | LUNA023417 | Will |
| P0107J | 12/18/2002 | Ewiiapaayp Business Board Resolution (Payment) dated 12/18/2002 | LUNA023418 | LUNA023418 | Will |
| P0107K | 12/23/2004 | Ewiiapaayp Business Board Resolution (Payment) dated 12/23/2004 | LUNA023721 | LUNA023721 | Will |
| P0107L | 1/6/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 01/06/2005 | LUNA023975 | LUNA023975 | Will |
| P0107M | 2/4/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 02/04/2005 | LUNA023939 | LUNA023939 | Will |
| P0107N | 2/4/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 02/04/2005 | LUNA023940 | LUNA023940 | Will |
| P0107O | 3/29/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 03/29/2005 | LUNA023129 | LUNA023129 | Will |
| P0107P | 6/8/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 06/08/2005 | LUNA023916 | LUNA023916 | Will |
| P0107Q | 6/8/2005 | Ewiiapaayp Business Board Resolution (Payment) dated 06/08/2005 | LUNA023917 | LUNA023917 | Will |
| P0107R | 8/13/2003 | Ewiiapaayp Business Board Resolution (Payment) dated 08/13/2003 | LUNA022823 | LUNA022823 | Will |
| P0107S | 3/20/2004 | Ewiiapaayp Business Board Resolution (Payment) dated 03/20/2004 | LUNA023804 | LUNA023804 | Will |
| P0107T | 5/25/2004 | Ewiiapaayp Business Board Resolution (Payment) dated 05/25/2004 | LUNA023783 | LUNA023783 | Will |
| P0107U | 7/29/2004 | Ewiiapaayp Business Board Resolution (Payment) dated 07/29/2004 | LUNA023766 | LUNA023766 | Will |
| P0107V | 9/22/2004 | Ewiiapaayp Business Board Resolution (Payment) dated 09/22/2004 | LUNA022940 | LUNA022940 | Will |
| P0111 | 3/9/2000 | Letter from Townsend to Penney, Micklin, Oegema Buch | DW043239 | DW043239 | Will |
| P0112 | 2/1/2003 | Email from Oegema to Downes re: with attachment NIGC Cover Letter for Review. w/o attachment | LUNA163893 | LUNA163894 | Will |
| P0113 | 2/1/2003 | Email from Downes to Oegema re: with attachment NIGC Cover Letter for Review w/ attached letter from Downes to Stuckwisch/NIGC | LUNA207297 | LUNA207298 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0113A | 1/31/2003 | Letter from Dorsey & Whitney to Fred W. Stuckwisch, National Indian Gaming Commission Regarding Gaming Management Agreement between Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California and Luna Gaming - San Diego, LLC | LUNA207313 | LUNA207322 | May |
| P0114 | 2/2/2003 | Email from Downes to Oegema re: NIGC Submission. w/ attached letter from Downes to Stuckwisch/NIGC dated 02/03/200 | LUNA207129 | LUNA207129 | Will |
| P0114A | 2/3/2003 | Letter from Dorsey & Whitney to Fred W. Stuckwisch, National Indian Gaming Commission Regarding Gaming Management Agreement between Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California and Luna Gaming - San Diego, LL | LUNA207130 | LUNA207140 | May |
| P0115 | 4/19/2000 | Memorandum from Buch to Circulation List re: Issues re California Machines. | LUNA013238 | LUNA013240 | Will |
| P0116 | 4/13/2000 | Email from Townsend to Sikkema re: Cuyapaipe Action. | DW011463 | DW011464 | May |
| P0117 | 6/4/2002 | Email from Baker-Shenk to Allbright re: Ewiiapaayp cover sheet. | LUNA005092 | LUNA005092 | May |
| P0118 | 7/26/2000 | Letter from Dykema Gossett to California Secretary of State re: Action Gaming LLC w/ attached Application | LUNA032009 | LUNA032008 | May |
| P0120 | 1/9/2001 | Letter from Pierce to IRS re: Action gaming LLC, Application for Employer ID Number | LUNA031970 | LUNA031976 | May |
| P0123 | 9/4/2001 | Email from Downes to Garcia re: NIGC - Indian Lands Determination. | LUNA144103 | LUNA144103 | May |
| P0124 | 9/25/2001 | Letter from Allbright to Celani re: San Diego - Cuyarpe (sic) Tribe Lands | LUNA032814 | LUNA032816 | May |
| P0125 | 7/9/2001 | Letter from Rosenthal to Celani | LUNA033704 | LUNA033704 | May |
| P0126 | 10/31/2002 | Email from Downes to Garcia re: Letter to CGCC | LUNA212577 | LUNA212579 | May |
| P0127 | 6/22/2004 | Email from Oegema to Buch re: Fwd: Request for Compact Negotiations. | BUCH046495 | BUCH046495 | May |
| P0128 | 5/8/2003 | Email from Downes to Baker-Shenk re: SD County Board of Supervisors Letter | LUNA205408 | LUNA205414 | May |
| P0129 | 1/29/2004 | Email from Downes to Oegema re: lgds - Status of Draft JV Agreement | LUNA005403 | LUNA005404 | May |
| P0130 | 1/9/2001 | Email from Colucci to Micklin re: Ruiz letter enclosed (w/enclosed letter to Ruiz). | LUNA156014 | LUNA156015 | May |
| P0131 | 6/19/2001 | Letter from Downes to Altona, Jennum re: Gagnard & Savoy v. Cuyapaipe Band of Mission Indians. | LUNA034649 | LUNA034650 | May |
| P0132 | 11/16/2002 | Email from Downes to Oegema re: Southern Indian Health Council, Inc. | LUNA002003 | LUNA002003 | Will |
| P0133 | 1/29/2004 | Email from Downes to Oegema re: lgds - Status of Draft JV Agreement | LUNA005403 | LUNA005404 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0136 | 4/13/2000 | Email from Townsend to Downes re: Letter Dated April 12 Addressed to Gagnard. | LUNA016070 | LUNA016071 | Will |
| P0137 | 6/27/2000 | Letter from Townsend to Penney | LUNA016969 | LUNA016969 | Will |
| P0138 | 6/5/2000 | Email from Colucci to Townsend re: Three Draft contracts | LUNA016366 | LUNA016367 | May |
| P0139 | 6/23/2000 | Email from Townsend to Oegema re: Intelligence. | LUNA016893 | LUNA016895 | Will |
| P0140 | 11/15/2001 | Memorandum from Downes to Pinto re: Remaining Fee to Trust Application Steps & NEPA Issues. | LUNA142394 | LUNA142396 | Will |
| P0141 | 10/25/2000 | Email from Downes to Micklin re: Legislative Alert | LUNA017886 | LUNA017886 | Will |
| P0142 | 10/24/2002 | Email from Baker-Shenk to Micklin, Oegema re: CONFIDENTIAL - attorney client privileged 10-24 Status on Federal Decisions | LUNA003000 | LUNA003000 | Will |
| P0143 | 5/6/2002 | Letter from Downes to Pinto re: California Attorney general Review of Alleged Self-Dealing Transaction. | DW-P046702 | DW-P046705 | Will |
| P0144 | 10/25/2000 | Invoice No. 820902 | LUNA047709 | LUNA047724 | Will |
| P0145 | 9/5/2000 | Memorandum from Downes to Ewiiapaayp Band of Kumeyaay Indians re: September 20th Gaming Conference. | DW-P046422 | DW-P046429 | Will |
| P0146 | 10/29/2002 | Memorandum from Baker-Shenk to Micklin, Oegema re: Status of Federal Decision Requests. | LUNA022334 | LUNA022334 | Will |
| P0147 | 9/10/2002 | Memorandum from Downes to Buch re: Viejas Fee to Trust Application. | LUNA000309 | LUNA000309 | Will |
| P0148 | 11/12/2002 | Memorandum re: Section 17 Concept Timeline | LUNA002079 | LUNA002081 | Will |
| P0149 | 11/15/2001 | Memorandum from Downes to Pinto re: Remaining Fee to Trust Application Steps & NEPA Issues. | LUNA142394 | LUNA142396 | Will |
| P0150 | 11/6/2002 | Email from Oegema to Downes re: lgds - political reporting filing. | LUNA050456 | LUNA050456 | Will |
| P0151 | 11/7/2002 | Email from Downes to Oegema re: Contributions Memo | LUNA010306 | LUNA010307 | Will |
| P0152 | 9/24/2002 | Email from Baker-Shenk to Oegema re: lgds - Partner | LUNA009759 | LUNA009759 | Will |
| P0153 | 3/25/2003 | Email from Downes to Oegema re: Viejas Anti-Trust Litigation & Maloof. | LUNA010358 | LUNA010359 | Will |
| P0154 | 4/3/2003 | Email from Baker-Shenk to Oegema re: lgds-Maloofs | LUNA011659 | LUNA011659 | Will |
| P0155 | 4/21/2003 | Email from Baker-Shenk to Oegema re: Maloof. | LUNA002598 | LUNA002598 | Will |
| P0156 | 4/29/2003 | Email from Downes to Oegema re: Conversation with Leonard Silverstein. | LUNA005011 | LUNA005011 | Will |
| P0157 | 7/2/2003 | Email from Oegema to Downes re: lgds - Compact negotiations / Other | LUNA001725 | LUNA001725 | Will |
| P0158 | 7/23/2001 | Email from Downes to Oegema re: NIGC Submission. | LUNA014226 | LUNA014227 | Will |
| P0159 | 2/26/2001 | Ewiiapaayp Business Board Meeting Minutes | DW-P046623 | DW-P046625 | Will |
| P0160 | 4/2/2001 | Ewiiapaayp Business Board Meeting Minutes | DW-P046453 | DW-P046455 | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0161 | 6/17/2002 | Email from Oegema to Downes re: le - California Gambling Control Commission. | LUNA050806 | LUNA050807 | Will |
| P0162 | 4/22/2003 | Email from Oegema to Baker-Shenk re: lgds - legal work. | LUNA050041 | LUNA050042 | Will |
| P0163 | 2/5/2004 | Email from Oegema to Downes re: lgds - housekeeping stuff | LUNA004533 | LUNA004533 | Will |
| P0164 | 12/15/2004 | Email from Eberhard to Downes re: lgds - plan for deliver [sic] of documents | LUNA009925 | LUNA009927 | Will |
| P0165 | 9/13/2002 | Email from Downes to Baker-Shenk re: CONFIDENTIAL -- Stations Status | DW-P047031 | DW-P047032 | Will |
| P0166 | 10/26/2000 | Email from Downes to Townsend re: Conversation with Viejas Representative. | LUNA159387 | LUNA159388 | Will |
| P0166A | 12/6/2000 | Letter from Harlan Pinto, Ewiiapaayp Tribal Office to Olin Jones, Director of Native American Affairs, California's Attorney's General Office Regarding Opposition to H.R. 5477; cc to Bradley G. Bledsoe Downes; Jim Townsend; Jim Oegema | DW-P030480 | DW-P030482 | Will |
| P0166B | 11/14/2000 | Letter from Tony Pinto, Ewiiapaayp Tribal Office to "Dear Senator/Congressman" Regarding H.R. 5477 | DW-P030483 | DW-P030485 | May |
| P0167 | 3/29/2000 | Promissory Note B (Alliance Loan) (Exhibit 10 to the Development Agreement dated 3/29/2000) | DW-P019467 | DW-P019469 | Will |
| P0168 | 3/29/2000 | Development Loan Agreement between Cuyapaipe and Action, dated March 29, 2000. | DW-P019531 | DW-P019548 | Will |
| P0169 | 3/29/2000 | Promissory Note (Development Note) (Exhibit 19 to the Development Agreement dated 3/29/2000) | DW-P019554 | DW-P019557 | Will |
| P0170 | 3/29/2000 | Transition Loan Agreement between Cuyapaipe Band of Mission Indians aka Ewiiapaayp Band of Kumeyaay Indians, Leaning Rock Water and Action Gaming LLC (Exhibit 16 to the Development Agreement dated 3/29/2000) | DW-P019513 | DW-P019529 | Will |
| P0171 | 3/29/2000 | Promissory Note C (Tribal Operations Loan) (Exhibit 18 to the Development Agreement dated 3/29/2000) | DW-P019550 | DW-P019552 | Will |
| P0172 | 3/29/2000 | Promissory Note D (Water Company Loan) (Exhibit 9 to the Development Agreement dated 3/29/2000) | DW-P019463 | DW-P019465 | Will |
| P0173 | 9/15/2003 | Letter from Jarboe, Baker-Shenk to Celani, Oegema dated 09/15/2003. | LUNA022353 | LUNA022358 | Will |
| P0174 | 3/25/2003 | Email from Downes to Oegema dated 03/25/2003 re: Viejas Anti-Trust Litigation & Maloof. | LUNA010358 | LUNA010359 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0175 | 9/24/2002 | Email from Baker-Shenk to Oegema dated 9/24/2002 re: lgsd - Partner | LUNA009759 | LUNA009759 | Will |
| P0176 | 11/10/1995 | Dorsey & Whitney (Jarboe) New Matter Form for North American Gaming Company; Little River Band of Ottawa Indians. | DW-P052496 | DW-P052498 | Will |
| P0177 | 5/1/1996 | Dorsey & Whitney (Jarboe) New Matter Form for North American Gaming Company; D.C. Reporting | DW-P052499 | DW-P052500 | Will |
| P0178 | 6/28/1996 | Dorsey & Whitney (Jarboe) New Matter Form for Notice of Proposed Rulemaking (clients combined). | DW-P052501 | DW-P052506 | Will |
| P0179 | 1/21/1997 | Dorsey & Whitney (Jarboe) New Matter Form for North American Gaming Company; Bay Mills Indian Community. | DW-P052507 | DW-P052508 | Will |
| P0180 | 10/28/1999 | Dorsey & Whitney (Jarboe) New Matter Form for North American Gaming Company; California Matters. | DW-P052512 | DW-P052513 | Will |
| P0181 | 3/27/2000 | Dorsey & Whitney (Townsend) New Matter Form for Thomas Celani; Gaming Development/Land Acquisition | DW-P052514 | DW-P052515 | Will |
| P0182 | 8/3/2000 | Dorsey & Whitney (Jarboe) New Matter Form for Manistee Gaming; General Corporate | DW-P052517 | DW-P052518 | Will |
| P0183 | 11/14/2000 | Dorsey & Whitney (Jarboe) New Matter Form for Manistee Gaming; Little River Permanent Casino | DW-P052520 | DW-P052524 | Will |
| P0184 | 1/15/2003 | Dorsey & Whitney (Jarboe) New Matter Form for Marshall Group Financing (2003) | DW-P052540 | DW-P052540 | Will |
| P0184A | 1/10/2003 | Email from Ginny Hodge to Nelson Lach Regarding Conflict Check Request | DW-P052541 | DW-P052542 | Will |
| P0184B | n/a | Dorsey & Whitney New Matter Form - Page 2 (template) | DW-P052543 | DW-P052543 | Will |
| P0184C | 1/10/2003 | Letter from Bradley G. Bledsoe Downes, Dorsey & Whitney to Honorable Everett Freeman, Chairman Paskenta Band of Nomlaki Indians & Tom Celani, President Luna Entertainment Regarding Marshall Group Financing; cc to James Oegema, John Crosby, Bruce Thomas | LUNA064246 | LUNA064247 | Will |
| P0185 | 9/15/2003 | Dorsey & Whitney (Jarboe) New Matter Form for Luna Entertainment; Paskenta Band - 2003 Loan | DW-P052559 | DW-P052560 | Will |
| P0185A | 9/11/2003 | Email from Rochelle Nicklay to Nelson Lach Regarding Conflict Check Request | DW-P052561 | DW-P052561 | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0185B | 6/20/2002 | Letter from Bradley G. Bledsoe Downes, Dorsey & Whitney to Tom Celani and K.C. Yi Attorney Paskenta Band of Nomlaki Indians, signed by Tom Celani Regarding Paskenta Band of Nomlaki Indians; Request for Waiver of Potential Conflict | LUNA064341 | LUNA064343 | Will |
| P0186 | 8/28/2000 | Dorsey & Whitney (Jarboe) New Matter Form for Ewiiapaayp Tribe; Self-Governance. | DW-P052429 | DW-O052433 | Will |
| P0187 | 7/5/2001 | Dorsey & Whitney (Jarboe) New Matter Form for Ewiiapaayp Tribe; First Nation Gaming | DW-P052439 | DW-P052442 | Will |
| P0188 | 11/5/2001 | Dorsey & Whitney (Jarboe) New Matter Form for Ewiiapaayp Tribe; Section 8(a) Wind Project | DW-P052127 | DW-P052131 | Will |
| P0189 | 1/22/2001 | Dorsey & Whitney Invoice No. 846993. | LUNA155194 | LUNA155223 | Will |
| P0190 | 12/31/2000 | Dorsey & Whitney Invoice No. 849994. Through 12/31/2000. | DW-P045222 | DW-P045239 | Will |
| P0191 | 6/21/2000 | Dorsey & Whitney Invoice No. 788343. | LUNA162032 | LUNA162060 | Will |
| P0192 | 5/31/2000 | Dorsey & Whitney Invoice No. 791023. Through 05/31/2000. | DW-P045204 | DW-P045221 | Will |
| P0193 | 3/29/2000 | Letter from Dorsey & Whitney to Action dated 03/29/2000 re: Cuyapaipe Band of Mission Indians w/attachments | DW027309 | DW027365 | Will |
| P0194 | 10/12/2000 | Email from Riolo to Jarboe re: Economic Development Board. | DW-P048946 | DW-P048947 | Will |
| P0195 | 9/29/2000 | Memorandum from Townsend to Pinto, Pinto, Cuyapaipe Tribal Council, Penney, Celani, Buch re: Negotiations with Southern Indian Health Council | LUNA017242 | LUNA017245 | Will |
| P0196 | 10/25/2000 | Email from Downes to Micklin re: Legislative Alert | LUNA017886 | LUNA017886 | May |
| P0198 | n/a | CV of William J. Wernz from Dorsey & Whitney web page. | n/a | n/a | May |
| P0199 | 10/28/1999 | Dorsey & Whitney New Matter Form for North American Gaming Company; California Matters | DW-P052512 | DW-P052513 | Will |
| P0200 | 3/27/2000 | Dorsey & Whitney New Matter Form for Celani; Gaming Development/Land Acquisition | DW-P052514 | DW-P052516 | Will |
| P0201 | 5/2/2001 | Dorsey & Whitney New Matter Form for Luna; Manistee Gaming/Little River Gaming Commission | DW-P052528 | DW-P052532 | Will |
| P0202 | 5/30/2001 | Letter from Pierce to Downes dated 05/30/2001 re: Luna Entertainment-Corning LLC/ Paskenta Band of Nomlaki Indians. | LUNA059758 | LUNA059760 | Will |
| P0204 | 2/26/2002 | Email from Oegema to Baker-Shenk re: urgent Request | LUNA164075 | LUNA164076 | Will |
| P0205 | 4/9/2002 | Memorandum from Pierce to Baker-Shenk re: Manistee Gaming LLC. | LUNA080755 | LUNA080757 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0206 | 6/20/2002 | Letter from Downes to Celani, Yi re: Paskenta Band of Nomlaki Indians; Request for Waiver of Potential Conflict. (with handwritten notes) | LUNA059432 | LUNA059433 | Will |
| P0207 | 6/20/2002 | Letter from Downes to Celani, Yi re: Paskenta Band of Nomlaki Indians; Request for Waiver of Potential Conflict.(with handwritten notes) | LUNA064341 | LUNA064343 | Will |
| P0208 | 1/10/2003 | Letter from Downes to Freeman, Erickson, Celani re: Financing for Paskenta Band of Nomlaki Indians. | LUNA064243 | LUNA064245 | Will |
| P0209 | 2/12/2003 | Letter from Baker-Shenk to Brooks, Celani re: Consent on gaming development matter. | LUNA099878 | LUNA099880 | Will |
| P0210 | 9/5/2003 | Letter from Durocher to Oegema re: Melissa Waitner v. Manistee Gaming, Luna Entertainment, et al. | LUNA082596 | LUNA082597 | Will |
| P0211 | 9/5/2003 | Letter from Durocher to Oegema Re: Melissa Waitner v. Manistee Gaming, Luna Entertainment, et al. (w/handwritten notes) | LUNA082601 | LUNA082603 | Will |
| P0212 | 9/9/2003 | Letter from Downes to Freeman, Celani re: \$1,500,000 loan | LUNA064282 | LUNA064283 | Will |
| P0213 | 3/17/2004 | Letter from Downes to Freeman, Celani re: Refinancing of Loans and Buy-Out of Development Agreement. | LUNA060673 | LUNA060675 | Will |
| P0214 | n/a | CV of Phil Baker-Shenk from Holland & Knight web pages. | n/a | n/a | Will |
| P0215 | 2/11/2002 | Email from Baker-Shenk to Oegema dated 02/11/2002 re: revised and amplified billings. | LUNA011793 | LUNA011793 | Will |
| P0216 | 5/6/2002 | Email from Oegema to Baker-Shenk dated 05/06/2002 re: e-bill for March, 2002 work | LUNA050919 | LUNA050920 | Will |
| P0217 | 5/23/2002 | Email from Baker-Shenk to Oegema dated 05/23/2002 re: e-bill for March, 2002 work | LUNA007871 | LUNA007872 | Will |
| P0218 | 6/6/2002 | Email from Baker-Shenk to Oegema dated 06/06/2002 re: discount | LUNA001586 | LUNA001586 | Will |
| P0219 | 6/7/2002 | Email from Baker-Shenk to Oegema dated 06/07/2002 re: lgds - wire | LUNA004661 | LUNA004661 | Will |
| P0220 | 7/18/2002 | Email from Oegema to Baker-Shenk dated 07/18/2002 re: lgds - DC team | LUNA050761 | LUNA050763 | Will |
| P0221 | 10/11/2002 | Letter from Oegema to Baker-Shenk dated 10/11/2002 re: Work Lists | HK12292 | HK12293 | Will |
| P0222 | 10/30/2002 | Email from Baker-Shenk to Oegema dated 10/30/2002 re: your call - invoices | LUNA005840 | LUNA005841 | Will |
| P0223 | 12/4/2002 | Email from Baker-Shenk to Oegema dated 12/04/2002 re: Invoice for October fees and expenses. | LUNA000005 | LUNA000005 | Will |
| P0224 | 9/12/2003 | Email from Oegema to Downes dated 09/12/2003 re: lgds - Resolution | LUNA049851 | LUNA049851 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0225 | 9/24/2003 | Letter from Pinto to Celani dated 09/24/2003 re: Joint Venture with Viejas: General Council Vote. (same letter as Exh. 100) | LUNA033240 | LUNA033242 | Will |
| P0226 | 12/15/2004 | Email from Eberhard to Downes dated 12/15/2004 re: lgd - plan for deliver [sic] of documents | LUNA009925 | LUNA009926 | Will |
| P0227 | 11/21/2003 | Letter from Baker-Shenk to Celani dated 11/21/2003 re: Waiver of potential conflict of interest. | LUNA022370 | LUNA022373 | Will |
| P0228 | 8/29/2002 | Email from Baker-Shenk to Oegema dated 08/29/2002 re: lgd - Political Contribution | LUNA010095 | LUNA010095 | Will |
| P0229 | 8/29/2002 | Email from Baker-Shenk to Oegema dated 08/29/2002 re: lgd - Political Contribution | LUNA010442 | LUNA010443 | Will |
| P0230 | 5/12/2003 | Email from Oegema to Baker-Shenk dated 05/12/2003 re: lgd - Vist (sic) with Pombo | LUNA007878 | LUNA007878 | Will |
| P0231 | 11/18/2002 | Email from Baker-Shenk to Oegema dated 11/18/2002 re: lgd - BIA time line | LUNA002955 | LUNA002955 | Will |
| P0232 | 12/21/2006 | Memorandum from Downes to Oegema dated 12/21/2006 re: Transfer of Viejas Trust Lands for Gaming. | BDR000110 | BDR000114 | Will |
| P0233 | 1/10/2007 | Memorandum from Downes to Oegema dated 01/10/2007 re: Response to Viejas' Claim of Ineffective Waiver of Sovereign Immunity. | BDR000211 | BDR000215 | Will |
| P0234 | 1/10/2007 | Memorandum from Downes to Oegema dated 01/10/2007 re: Transfer of Viejas Trust lands for Gaming | BDR000205 | BDR000209 | Will |
| P0235 | 11/28/2000 | Letter from Baker-Shenk to Buch dated 11/28/2000 re: Proposed Revisions to Hill Hand-out Brochure | HK12763 | HK12766 | Will |
| P0236 | 2/14/2003 | Email from Oegema to Baker-Shenk dated 02/14/2003 re: CONFIDENTIAL please do not circulate FW: March 2nd event. | LUNA050114 | LUNA050115 | Will |
| P0237 | 12/16/2004 | Email from Baker-Shenk to Garcia, Micklin dated 12/16/2004 re: Ewiiapaayp December invoice. | LUNA001097 | LUNA001097 | Will |
| P0238 | 7/9/2004 | Email from Baker-Shenk to Oegema dated 07/09/2004 re: FW: URGENT - can we talk asap on an FEC question? | LUNA002047 | LUNA002048 | Will |
| P0239 | 5/22/2003 | Letter from Baker-Shenk to Pinto dated 05/22/2003 re: Legal Services | LUNA005013 | LUNA005013 | Will |
| P0240 | 1/24/2003 | Letter from Baker-Shenk to Pinto dated 01/24/2003 re: Legal Services | LUNA002029 | LUNA002029 | Will |
| P0241 | 12/16/2002 | Letter from Baker-Shenk to Pinto dated 12/16/2002 re: Legal Services | LUNA006415 | LUNA006415 | Will |
| P0242 | 9/15/2003 | Letter from Jarboe, Baker-Shenk to Celani, Oegema dated 09/15/2003. | LUNA022353 | LUNA022356 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0243 | 9/30/2003 | Fax cover sheet from Oegema/Hammer to Baker-Shenk dated 09/30/2003 w/ attached signed Retainer Agreement. | LUNA022356 | LUNA022358 | Will |
| P0244 | 5/3/2001 | Email from Baker-Shenk to Rosenthal dated 05/03/2001 re: May 8. | LUNA020361 | LUNA020362 | Will |
| P0245 | 5/4/2001 | Email from Baker-Shenk to Nickin, Rosenthal dated 05/04/2001 re: May 8. | LUNA020359 | LUNA020359 | Will |
| P0246 | 10/11/2001 | Email from Baker-Shenk to Buch dated 10/11/2001 re: Additional Comments re Display Boards for DC Testimony. | LUNA021283 | LUNA021284 | Will |
| P0247 | 7/1/2003 | Email from Jarboe to Oegema dated 07/01/2003 re: lgds - Meeting times. | LUNA168240 | LUNA168240 | Will |
| P0248 | 7/12/2003 | Email from Jarboe to Oegema dated 07/12/2003 re: Tuesday meeting. | LUNA168129 | LUNA168129 | Will |
| P0249 | 7/12/2003 | Email from Jarboe to Oegema dated 07/12/2003 re: Tuesday meeting. | LUNA006626 | LUNA006626 | Will |
| P0250 | 7/14/2003 | Email from Jarboe to Oegema dated 07/14/2003 re: Tuesday meeting. | LUNA168127 | LUNA168128 | Will |
| P0251 | 1/11/2005 | Email from Eberhard to Oegema dated 01/11/2005 re: Invoices | n/a | n/a | Will |
| P0252 | 1/13/2005 | Email from Eberhard to Oegema dated 01/13/2005 re: Invoices. | LUNA011506 | LUNA011507 | Will |
| P0253 | 2/15/2005 | Email from Eberhard to Oegema dated 02/15/2005 re: Invoices | LUNA008424 | LUNA008425 | Will |
| P0254 | 2/5/2004 | Email from Oegema to Downes, Eberhard dated 02/05/2004 re: lgds - housekeeping stuff | LUNA004533 | LUNA004533 | Will |
| P0255 | 2/15/2005 | Email from Eberhard to Oegema dated 02/15/2005 re: Invoices. | LUNA007895 | LUNA007895 | Will |
| P0256 | 5/24/2004 | Email from Downes to Eberhard dated 05/24/2005 re: lgds - invoice. | LUNA012556 | LUNA012556 | Will |
| P0257 | 6/28/2004 | Memorandum from Downes to Riolo dated 06/28/2004 re: Eligibility of Leased Lands for Gaming Pursuant to IGRA. | BDR000137 | BDR000143 | Will |
| P0258 | 6/30/2004 | Memorandum from Downes to Riolo dated 06/30/2004 re: Eligibility of Leased Lands for Gaming Pursuant to IGRA. | LUNA166853 | LUNA166862 | Will |
| P0259 | 8/10/2004 | Letter from Downes to Skibine, Coleman dated 08/10/2004 re: Ewiiapaayp Band of Kumeyaay Indians & Viejas Band of Kumeyaay Indians. | LUNA033128 | LUNA033133 | Will |
| P0260 | 8/16/2004 | Letter from Downes to Kolkey dated 08/16/2004 | DW-P007812 | DW-P007816 | Will |
| P0261 | 8/27/2004 | Fax cover sheet from Downes to Skibine, Coleman w/ attached letter dated 08/27/2004 re: Ewiiapaayp Band of Kumeyaay Indians & Viejas Band of Kumeyaay Indians. | DW-P007786 | DW-P007801 | Will |
| P0262 | 9/24/2004 | Letter from Downes to Skibine, Coleman Dated 09/24/2004 re: Ewiiapaayp Band of Kumeyaay Indians & Viejas Band of Kumeyaay Indians. | DW-P040663 | DW-P040670 | Will |
| P0263 | 5/11/2000 | Email from Downes to Townsend dated 05/11/2000 re: Governor's Letter. | LUNA162540 | LUNA162540 | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0264 | 7/5/2000 | Email from Townsend to Oegema dated 07/05/2000 re: FW: One Giant Step Backward. | LUNA161716 | LUNA161719 | Will |
| P0265 | 7/6/2000 | Email from Townsend to Buch dated 07/06/2000 re: FW: One Giant Step Backward. | LUNA161700 | LUNA161704 | Will |
| P0266 | 7/29/2004 | Email from Eberhard to Jarboe dated 07/29/2004 re: Ewiiapaayp - Revised Cash Flow Model | LUNA006401 | LUNA006404 | Will |
| P0267 | 8/28/2004 | Email from Micklin to Oegema dated 08/28/2004 re: Compact Ratified. | LUNA201148 | LUNA201149 | Will |
| P0268 | 8/28/2004 | Email from Downes to Micklin dated 08/28/2004 re: EWI Coleman Skibine Tx Ltr_8-27-04.pdf; EWI NIGC Brief_8-27-04_FINAL.pdf | LUNA166434 | LUNA166434 | Will |
| P0268A | 8/27/2004 | Letter from Bradley Bledsoe Downes, Dorsey & Whitney to George Skibine, Office of Indian Gaming Management United States Department of Interior and Penny Coleman, Acting General Counsel National Indian Gaming Commission Regarding Ewiiapaayp Band of Kumeyaay Indians & Viejas Band of Kumeyaay Indians; bcc to James Oegema, Eric Eberhard, Phil Baker-Shenk | LUNA044552 | LUNA044553 | May |
| P0268B | 8/27/2004 | Memorandum from Bradley G. Bledsoe Downes, Dorsey & Whitney and Philip Baker-Shenk, Holland & Knight to Penny Coleman, Acting General Counsel, National Indian Gaming Commission and George Skibine, Director, Office of Indian Gaming Management, U.S. Department of the Interior, cc to Honorable Harlan Pinto, Chairman, Ewiiapaayp Band of Kumeyaay Indians and Frank Riolo, CEO, Viejas Enterprises Regarding Sole Proprietary Interest Requirements of IGRA; Ewiiapaayp Viejas Lease-License Concept | LUNA000838 | LUNA000848 | May |
| P0269 | 11/18/2004 | Email from Micklin to Riolo dated 11/18/2004 re: Final Draft Documents. | LUNA200443 | LUNA200444 | May |
| P0270 | 11/18/2004 | Email from Eberhard to Downes, Oegema dated 11/18/2004 re: Lease-License Concept documents. | LUNA008152 | LUNA008153 | May |
| P0271 | 11/18/2004 | List dated 11/18/2004, JDO Comments, JV Document Package. | LUNA049252 | LUNA049253 | May |
| P0272 | 1/4/2005 | Email from Oegema to Downes dated 01/04/2005 re: side letter. | LUNA163507 | LUNA163509 | May |
| P0272A | 1/3/2005 | Viejas Tribe's Letterhead document from Anthony Pico to Honorable Harlan Pinto, Ewiiapaayp Band of Kumeyaay Indians Regarding License to Conduct Gaming on Viejas Indian Reservation | LUNA001492 | LUNA001492 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|-------------|-------------|--------------|
| P0272B | 1/3/2005 | Viejas Tribal Letterhead document from Anthony Pico, to Honorable Harlan Pinto, Ewiiapaayp Band of Kumeyaay Indians Regarding Joint Venture Agreement not signed | LUNA049110 | LUNA049111 | May |
| P0273 | 5/25/2005 | Email from Eberhard to Oegema dated 05/25/2005 re: Indian Lands Requirement for Compacts. | LUNA198688 | LUNA198689 | May |
| P0273A | 5/20/2005 | Letter from James Cason, United States Department of the Interior Office of the Secretary to Honorable Theodore Kulongoski, Governor, State of Oregon Disapproving the Tribal State Compact between the Confederated Tribes of the Warm Springs Reservation of Oregon and the State of Oregon dated 4/6/2005 | LUNA044545 | LUNA044546 | May |
| P0276 | 11/20/2000 | Rosenthal Invoice #003 dated 11/20/2000 | LUNA047523 | LUNA047523 | Will |
| P0276A | 11/16/2001 | Fax cover sheet from Ewiiapaayp Tribe of CA to Tom Celani regarding Legislative Update | LUNA033616 | LUNA033616 | May |
| P0276B | 11/2/2001 | Ietan Consulting, LLC Invoice to Ewiiapaayp Tribe of CA for Consulting from Landry, Creedon & Associates and detailed billings | LUNA109731 | LUNA109738 | Will |
| P0276C | 12/31/2001 | Ietan Consulting, LLC Invoice to Ewiiapaayp Tribe of CA for Consulting from Landry, Creedon & Associates and detailed billings | LUNA034864 | LUNA034873 | Will |
| P0276D | 1/31/2002 | Ietan Consulting, LLC Invoice to Ewiiapaayp Tribe of CA | LUNA109351 | LUNA109351 | Will |
| P0276E | 2/28/2002 | Invoice from Landry, Creedon & Associates to Larry Rosenthal, Ietan Consulting, LLC in reference to Luna Entertainment & Cuyapaipe Tribe | LUNA109470 | LUNA109470 | Will |
| P0276F | 2/28/2002 | Invoice from Ietan Consulting, LLC to Ewiiapaayp Tribe of CA for Consulting Services from Landry, Creedon & Associates | LUNA109446 | LUNA109448 | Will |
| P0276G | 3/13/2002 | Fax cover from Larry Rosenthal, Ietan Consulting, LLC to Jim Oegema Regarding FOIA information enclosing Executive Order 12,600 regarding FOIA and the NIGC's C.F.R regulation on FOIA. | LUNA064216 | LUNA064216 | May |
| P0276H | 3/29/2002 | Ietan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA1094468 | LUNA1094469 | Will |
| P0276I | 4/30/2002 | Ietan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA107948 | LUNA107951 | Will |
| P0276J | 5/31/2002 | Ietan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA108091 | LUNA108094 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0276K | 6/28/2002 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA108114 | LUNA108115 | Will |
| P0276L | 7/31/2002 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA109911 | LUNA109913 | Will |
| P0276M | 8/30/2002 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA109909 | LUNA109910 | Will |
| P0276N | 10/31/2002 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA10948 | LUNA10951 | Will |
| P0276O | 9/25/2002 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA109945 | LUNA109947 | Will |
| P0276P | 11/25/2002 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA110175 | LUNA110177 | Will |
| P0276Q | 12/31/2002 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA110613 | LUNA110615 | Will |
| P0276R | 1/31/2003 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA110611 | LUNA110612 | Will |
| P0276S | 2/28/2003 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA110673 | LUNA110675 | Will |
| P0276T | 3/31/2003 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA110823 | LUNA110824 | Will |
| P0276U | 1/30/2004 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA110370 | LUNA110374 | Will |
| P0276V | 3/31/2004 | letan Consulting Invoice to Ewiiapaayp Tribe of CA for Landry, Creedon & Associates Consulting services | LUNA110439 | LUNA110444 | Will |
| P0277 | 1/15/2009 | letan Consulting, LLC Customer QuickReport dated 01/15/09 | n/a | n/a | Will |
| P0277A | 12/00/2006 | Emails regarding outstanding invoices and payments between Larry Rosenthal, Jim Oegema, Juanita Keesing (Mendoza), Joseph D'Agostino, Linda Pierce | n/a | n/a | May |
| P0278 | n/a | Luna Expenditure Register as of 5/31/2002 | LUNA037607 | LUNA037616 | Will |
| P0278A | n/a | Luna Gaming Expenditure Register: REIMBURSABLE covering 5/1/2002 through 8/31/2002 | LUNA107853 | LUNA107854 | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0278B | n/a | Luna Gaming Expenditure Register: REIMBURSABLE covering 9/1/2002 through 12/31/2002 | LUNA109869 | LUNA109870 | Will |
| P0278C | n/a | Luna Gaming Expenditure Register: REIMBURSABLE as of 6/30/2003 | LUNA110560 | LUNA110561 | Will |
| P0279 | 10/30/2000 | Ewiiapaayp Business Board Meeting Agenda 10/30/2000 | BUCH027834 | BUCH027835 | Will |
| P0279A | 10/30/2000 | Ewiiapaayp Business Board Meeting Minutes 10/30/2000 | BUCH028021 | BUCH028023 | Will |
| P0279B | 11/6/2000 | Ewiiapaayp Business Board Meeting Agenda 11/06/2000 | BUCH027836 | BUCH027836 | Will |
| P0279C | 11/6/2000 | Ewiiapaayp Business Board Meeting Minutes 11/06/2000 | BUCH032658 | BUCH032660 | Will |
| P0279D | 11/6/2000 | Ewiiapaayp Business Board Meeting Minutes 11/06/2000 | BUCH028024 | BUCH028025 | Will |
| P0279E | 11/13/2000 | Ewiiapaayp Business Board Meeting Agenda 11/13/2000 | BUCH027837 | BUCH027837 | Will |
| P0279F | 11/13/2000 | Ewiiapaayp Business Board Meeting Minutes 11/13/2000 | BUCH028026 | BUCH028027 | Will |
| P0279G | 11/13/2000 | Ewiiapaayp NCG Conference Call Minutes 11/13/2000 | BUCH032661 | BUCH032663 | May |
| P0279H | 11/20/2000 | Ewiiapaayp Business Board Meeting Agenda 11/20/2000 | BUCH027838 | BUCH027838 | Will |
| P0279I | 11/20/2000 | Ewiiapaayp Business Board Meeting Minutes 11/20/2000 | BUCH028028 | BUCH028029 | Will |
| P0279J | 11/27/2000 | Ewiiapaayp Business Board Meeting Agenda 11/27/2000 | BUCH027839 | BUCH027839 | Will |
| P0279K | 11/27/2000 | Ewiiapaayp Business Board Meeting Minutes 11/27/2000 | BUCH028030 | BUCH028030 | Will |
| P0279L | 12/4/2000 | Ewiiapaayp Business Board Meeting Agenda 12/04/2000 | BUCH027840 | BUCH027841 | Will |
| P0279M | 12/4/2000 | Ewiiapaayp Business Board Meeting Minutes 12/04/2000 | BUCH028031 | BUCH028031 | Will |
| P0279N | 12/11/2000 | Ewiiapaayp Business Board Meeting Agenda 12/11/2000 | BUCH027842 | BUCH027843 | Will |
| P0279O | 12/11/2000 | Ewiiapaayp Business Board Meeting Minutes 12/11/2000 | BUCh028032 | BUCh028032 | Will |
| P0279P | 12/18/2000 | Ewiiapaayp Business Board Meeting Agenda 12/18/2000 | BUCH027847 | BUCH027848 | Will |
| P0279Q | n/a | Minutes of Discussion for Business and Tribal Council on 12/11/2000 | HK05264 | HK05266 | Will |
| P0279R | 12/18/2000 | Ewiiapaayp Business Board Meeting Minutes 12/18/2000 | BUCH028036 | BUCH028038 | Will |
| P0279S | 1/8/2001 | Ewiiapaayp Business Board Meeting Agenda 01/08/2001 | BUCH027849 | BUCH027850 | Will |
| P0279T | 1/8/2001 | Ewiiapaayp Business Board Meeting Minutes 01/08/2001 | BUCH028039 | BUCH028040 | Will |
| P0279U | 1/16/2001 | Ewiiapaayp Business Board Meeting Agenda 01/16/2001 | BUCH027851 | BUCH027851 | Will |
| P0279V | 1/16/2001 | Ewiiapaayp Business Board Meeting Minutes 01/16/2001 | BUCH028041 | BUCH028041 | Will |
| P0279W | 1/22/2001 | Ewiiapaayp Business Board Meeting Agenda 01/22/2001 | BUCH027852 | BUCH027853 | Will |
| P0279X | 1/22/2001 | Ewiiapaayp Business Board Meeting Minutes 01/22/2001 | BUCH028043 | BUCH028044 | Will |
| P0279Y | 1/29/2001 | Ewiiapaayp Business Board Meeting Agenda 01/29/2001 | BUCH027854 | BUCH027855 | Will |
| P0279Z | 1/29/2001 | Ewiiapaayp Business Board Meeting Minutes 01/29/2001 | BUCH028045 | BUCH028047 | Will |
| P0279AA | 2/12/2001 | Ewiiapaayp Business Board Meeting Agenda 02/12/2001 | BUCH027856 | BUCH027857 | Will |
| P0279BB | 2/12/2001 | Ewiiapaayp Business Board Meeting Minutes 02/12/2001 | BUCH028048 | BUCH028049 | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|-------------|---------------|---|------------|------------|--------------|
| P0279CC | 2/20/2001 | Ewiiapaayp Business Board Meeting Agenda 02/20/2001 | BUCH027858 | BUCH027859 | Will |
| P0279DD | 2/20/2001 | Ewiiapaayp Business Board Meeting Minutes 02/20/2001 | BUCH028050 | BUCH028051 | Will |
| P0279EE | 2/26/2001 | Ewiiapaayp Business Board Meeting Agenda 02/26/2001 | BUCH027860 | BUCH027861 | Will |
| P0279FF | 2/26/2001 | Ewiiapaayp Business Board Meeting Minutes 02/26/2001 | BUCH028052 | BUCH028054 | Will |
| P0279GG | 3/12/2001 | Ewiiapaayp Business Board Meeting Agenda 03/12/2001 | BUCH027862 | BUCH027863 | Will |
| P0279HH | 3/11/2001 | Ewiiapaayp Business Board Meeting Minutes 03/11/2001 | BUCH028055 | BUCH028057 | Will |
| P0279II | 3/25/2001 | Ewiiapaayp Business Board Meeting Agenda 03/25/2001 | BUCH027864 | BUCH027865 | Will |
| P0279JJ | 3/26/2001 | Ewiiapaayp Business Board Meeting Minutes 03/26/2001 | BUCH028058 | BUCH028060 | Will |
| P0279KK | 4/2/2001 | Ewiiapaayp Business Board Meeting Agenda 04/02/2001 | BUCH027869 | BUCH027870 | Will |
| P0279LL | 4/2/2001 | Ewiiapaayp Business Board Meeting Minutes 04/02/2001 | BUCH028063 | BUCH028065 | Will |
| P0279M M | 4/9/2001 | Ewiiapaayp Business Board Meeting Agenda 04/09/2001 | BUCH027871 | BUCH027872 | Will |
| P0279NN | 4/9/2001 | Ewiiapaayp Business Board Meeting Minutes 04/09/2001 | BUCH028066 | BUCH028067 | Will |
| P0279OO | 4/16/2001 | Ewiiapaayp Business Board Meeting Agenda 04/16/2001 | BUCH027873 | BUCH027874 | Will |
| P0279PP | 4/16/2001 | Ewiiapaayp Business Board Meeting Minutes 04/16/2001 | BUCH028068 | BUCH028069 | Will |
| P0279QQ | 5/10/2001 | Ewiiapaayp Business Board Meeting Agenda 05/10/2001 | BUCH027875 | BUCH027876 | Will |
| P0279RR | 5/10/2001 | Ewiiapaayp Business Board Meeting Minutes 05/10/2001 | BUCH028070 | BUCH028071 | Will |
| P0280 | 11/14/2000 | Letter from Pinto to Senator/Congressman dated 11/14/2000 re: H.R. 5477 | n/a | n/a | May |
| P0281 | n/a | H.R. 5477, an Act. | n/a | n/a | May |
| P0282 | n/a | H.R. 1239, an Act. | n/a | n/a | May |
| P0283 | 11/17/2000 | Memorandum from NCG PN Team to Ewiiapaayp Team/Action Gaming. Dated 11/17/2000 re: Immediate Action Steps | LUNA047256 | LUNA047259 | May |
| P0284 | 10/26/2001 | Email from Baker-Shenk to Oegema dated 10/26/2001 re: Bob Holmes. | LUNA021523 | LUNA021523 | Will |
| P0285 | 5/17/2001 | Ewiiapaayp Business Board Meeting Agenda dated 5/17/2001 | LUNA013067 | LUNA013068 | Will |
| P0285A | 5/17/2001 | Ewiiapaayp Casino Business Board Meeting Minutes dated 5/17/2001 | BUCH028072 | BUCH028074 | Will |
| P0286 | 5/24/2001 | Email from Baker-Shenk to Baker-Shenk, Micklin etc dated 05/24/2001 re: Revised Confidential summary 5/24 mtg | LUNA015308 | LUNA015308 | Will |
| P0286A | 5/24/2001 | Cuyapaipe Project Agenda and Summary of Discussion Task List Table | LUNA022303 | LUNA022307 | Will |
| P0287 | 1/14/2009 | Ietan Consulting web pages 01/14/2009 | n/a | n/a | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0288 | 8/14/2001 | Lobbying Report by Ietan Consulting LLC dated 08/14/01 | HK08565 | HK08568 | Will |
| P0289 | 10/23/2001 | Email from Baker-Shenk to Rosenthal dated 10/23/2001 re: lobbying registration. | LUNA016044 | LUNA016044 | May |
| P0290 | 6/3/2002 | Email from Micklin to Oegema dated 06/03/2002 re: BB Proposal re: Lobbying | LUNA221280 | LUNA221280 | May |
| P0291 | 6/13/2002 | Email from Oegema to Micklin dated 06/13/2002 re: lgsd - Re: Platinum Advisors Agreement | LUNA221271 | LUNA221272 | May |
| P0292 | 2/7/2003 | Email from Baker-Shenk to Oegema dated 02/07/2003 re: FW: NYT Reprints | LUNA169464 | LUNA169465 | May |
| P0293 | 2/7/2003 | Email from Welday to Nickin dated 02/07/2003 re: communication | LUNA207093 | LUNA207093 | May |
| P0294 | 2/7/2003 | Email from Micklin to Oegema dated 02/07/2003 re: Holmes & Rosenthal. | LUNA221215 | LUNA221215 | May |
| P0295 | 2/8/2003 | Email from Micklin to Oegema dated 02/08/2003 re: Homes and Rosenthal | LUNA221214 | LUNA221214 | May |
| P0296 | 2/12/2003 | Email from Downes to Oegema dated 02/12/2003 re: Lobbying Registration | HK08563 | HK08563 | May |
| P0297 | 2/12/2003 | Email from Oegema to Nickin dated 02/12/2003 re: lgsd - info from DC | LUNA192020 | LUNA192020 | May |
| P0298 | 2/13/2004 | Lobbying Report by Ietan Consulting, LLC dated 02/13/2004 | n/a | n/a | May |
| P0299 | 3/2/2003 | Email from Buch to Nickin dated 03/02/2003 re: Lobbyists | LUNA191964 | LUNA191964 | May |
| P0300 | 3/12/2003 | Email from Micklin to Oegema dated 03/12/2003 re: Issues. | LUNA221197 | LUNA221199 | May |
| P0301 | 4/1/2003 | Letter from Celani to Pinto dated 04/01/2003 re: Casino Development Project | HK09573 | HK09575 | May |
| P0302 | 4/7/2003 | Email from Nickin dated 04/07/2003 re: issues. | LUNA197105 | LUNA197105 | May |
| P0303 | 6/15/2005 | Email from Micklin to Oegema dated 06/15/2005 re: lgsd - lobbyists | n/a | n/a | May |
| P0304 | 7/9/2001 | Letter from Rosenthal to Celani dated 07/09/2001. | LUNA033704 | LUNA033704 | May |
| P0305 | 3/29/2006 | Email from Rosenthal dated 03/29/2006 re: Good news! | LUNA188481 | LUNA188482 | May |
| P0306 | 6/4/2002 | Email from Baker-Shenk to Allbright dated 06/04/2002 re: Ewiiapaayp cover sheet. | LUNA005092 | LUNA005092 | May |
| P0307 | 6/15/2005 | Email from Welday to Rosenthal dated 06/15/2005 re: Fwd: DEFINITIVE NEWS RE: Status update | LUNA188498 | LUNA188500 | May |
| P0308 | 3/29/2006 | Email from Rosenthal dated 03/29/2006 re: Monthly Report (03-29-06).doc | LUNA188477 | LUNA188480 | May |
| P0309 | 1/12/2009 | Letter from Mendoza to Kim dated 01/12/2009 re: Case Number: 06-CV-2804, w/ attached documents requested by subpoena | n/a | n/a | May |
| P0310 | 6/4/2004 | Email from Welday to Micklin dated 06/04/2004 re: Congressional Meetings re: JV | BUCH039538 | BUCH039538 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0311 | 11/18/1982 | Secretary of State, California, Articles of Incorporation of Southern Indian Health Council | LUNA024065 | LUNA024088 | May |
| P0312 | 11/25/1996 | Southern Indian Health Council, Inc. Bylaws | DW-P026832 | DW-P026860 | Will |
| P0313 | 5/23/1986 | Business Lease between Cuyapaipe Band of Mission Indians and Southern Indian Health Council, Inc. dated 05/23/1986 | LUNA033104 | LUNA033124 | May |
| P0314 | 5/4/1999 | Larson/Carpenter Architects report Regarding: Southern Indian Health Council Out Patient Center dated 05/04/1999 | DW-P030393 | DW-P030394 | May |
| P0315 | 4/20/1999 | Letter from Pinto to Saxton dated 04/20/1999 w/attachments. | DW-P030396 | DW-P030401 | May |
| P0316 | 5/18/1999 | Letter from Karshmer to Townsend dated 05/18/1999 re: Southern Indian Health Council and Cuyapaipe land issues | DW-P030392 | DW-P030392 | May |
| P0317 | 11/19/1999 | Fax cover sheet from Townsend to Saxton dated 11/19/1999 w/ attached Commercial Sublease of Southern Indian Health Council, Inc. and Cuyapaipe Band of Mission Indians. | LUNA046258 | LUNA046278 | May |
| P0318 | 10/11/1999 | Board of Directors Minutes dated 10/11/1999 | DW-P009110 | DW-P009113 | Will |
| P0319 | 10/00/1999 | Lease Relinquishment Agreement between the Cuyapaipe Band of Mission Indians and the Southern Indian Health Council, Inc. | LUNA046217 | LUNA046230 | Will |
| P0320 | 4/24/2000 | Board of Directors Minutes dated 04/24/2000 | DW-P004924 | DW-P004926 | Will |
| P0312P | 2/2/2000 | Letter from Savoy to Pinto, signed by Pinto dated 02/02/2000 re: Letter of Intent. | DW-P049901 | DW-P049904 | May |
| P0313P | 2/2/2000 | Letter from Savoy to Pinto, signed by Pinto dated 02/02/2000 re: Letter of Intent. | n/a | n/a | May |
| P0314P | 3/7/2000 | Letter from Pinto to Barbre, Gagnard dated 03/07/2000 | DW-P030349 | DW-P030350 | May |
| P0315P | 3/7/2000 | Letter from Celani to Ewiiapaayp Band of Mission Indians dated 03/07/2000 re: Letter of Intent for Development Agreement and Management Agreement of Gaming Facility. | n/a | n/a | Will |
| P0316P | 3/10/2000 | Letter from Peebles to Celani dated 03/10/2000 re: Letter of Intent for a Development Agreement and Management Agreement for a gaming Facility/Ewiiapaayp Band of Mission Indians | DW-P047141 | DW-P047143 | May |
| P0317P | 3/17/2000 | Letter from Townsend to Peebles dated 03/17/2000 | DW-P047137 | DW-P047140 | May |
| P0318P | n/a | Letter from Savoy to Penney undated. | DW-P006818 | DW-P006818 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0319P | 3/21/2000 | Letter from Peebles to Townsend dated 03/21/2000 re: Letter of Intent for Development Agreement and Management agreement for Gaming Facility/Ewiiapaayp Band of Mission Indians | DW-P029489 | DW-P029490 | May |
| P0320P | 4/6/2000 | Letter from Peebles to Townsend dated 04/06/2000 re: First Nation Gaming, LLC./Ewiiapaayp Band of Mission Indians | DW-P029479 | DW-P029480 | May |
| P0321 | 5/22/2000 | Board of Directors Minutes Dated 05/22/2000 | LUNA024120 | LUNA024121 | Will |
| P0322 | 5/26/2000 | Special Board Meeting Minutes dated 05/26/2000 | DW-P050731 | DW-P050733 | Will |
| P0323 | 6/19/2000 | Special Board Meeting Minutes dated 06/19/2000 | DW-P050734 | DW-P050736 | Will |
| P0324 | 6/30/2000 | Board of Directors Minutes dated 06/30/2000 | DW-P003748 | DW-P003749 | Will |
| P0325 | 7/10/2000 | Special Board Meeting Minutes dated 06/10/2000 | LUNA024131 | LUNA024132 | Will |
| P0326 | 7/31/2000 | Board of Directors Minutes dated 07/31/2000 | DW-P022250 | DW-P022250 | Will |
| P0327 | 7/31/2000 | Chairman's Report, July 31, 2000 Board Meeting | DW-P003742 | DW-P003742 | May |
| P0328 | 7/31/2000 | Confidential Legal Memorandum from Downes to Townsend, Oegema, dated 07/31/2000 re: July 31, 2000, SIHC Meeting. | LUNA016966 | LUNA016967 | Will |
| P0329 | 8/28/2000 | Board of Directors Minutes dated 08/28/2000 | DW-P004938 | DW-P004940 | Will |
| P0330 | 9/25/2000 | Board of Directors Minutes dated 09/25/2000 | DW-P004945 | DW-P004948 | Will |
| P0331 | 10/30/2000 | Board of Directors Minutes dated 10/30/2000 | DW-P004960 | DW-P004962 | Will |
| P0332 | 10/24/2000 | Letter from Pinto to Board of Directors, SIHC dated 10/24/2000 re: Amendment of SIHC Bylaws | LUNA043088 | LUNA043091 | Will |
| P0333 | n/a | Revised Article VI(K) 2 (Conflict of Interest) | LUNA017144 | LUNA017145 | Will |
| P0334 | 11/22/2000 | Letter from TeSam to Board of Directors SIHC dated 11/22/2000 re: SIHC - Proposed Bylaw Changes. | LUNA042993 | LUNA042995 | Will |
| P0335 | 12/4/2000 | Special Board Meeting Minutes dated 12/04/2000 | DW-P036239 | DW-P036240 | Will |
| P0336 | 12/18/2000 | Board of Directors Minutes dated 12/18/2000 | DW-P036241 | DW-P036243 | Will |
| P0337 | 12/18/2000 | Resolution: Request to the Secretary of the Interior dated 12/18/2000 | DW-P008202 | DW-P008203 | May |
| P0338 | 4/4/2005 | Board of Directors Minutes dated 04/04/2005 | LUNA199941 | LUNA199944 | Will |
| P0339 | 6/6/2000 | Letter from Shordike to Townsend dated 06/06/2000 re: Southern Indian Health Council and Cuyapaipe land issues. | DW-P029431 | DW-P029433 | May |
| P0340 | 6/14/2000 | Letter from Downes to Shordike dated 06/14/2000 re: Southern Indian Health Council, Inc. - Lease Relinquishment Agreement | DW-P026872 | DW-P026874 | May |
| P0341 | 7/20/2000 | Letter from Shordike to Townsend dated 07/20/2000 re: Southern Indian Health Council and Cuyapaipe Contracts | DW-P029397 | DW-P029397 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0342 | 7/10/2000 | Redlined draft of Partial Land Lease Relinquishment Agreement between the Cuyapaipe Band of Diegueno Mission Indians and the Southern Indian Health Council, Inc. | LUNA016680 | LUNA016695 | May |
| P0343 | 6/00/2000 | Second Amended and Restated Lease Relinquishment Agreement Between the Cuyapaipe Band of Mission Indians and the Southern Indian Health Council, Inc. | DW-P035786 | DW-P035796 | Will |
| P0344 | 7/10/2000 | Redlined draft of Consolidated Clinic Building Construction Agreement between the Cuyapaipe Band of Diegueno Mission Indians and the Southern Indian Health Council, Inc. | LUNA016665 | LUNA016679 | May |
| P0345 | 7/10/2000 | Redlined draft of Campo Clinic Construction Agreement among the Cuyapaipe Band of Diegueno Mission Indians and the Campo band of Diegueno Mission Indians and the Southern Indian Health Council, Inc. | LUNA016648 | LUNA016664 | May |
| P0347 | 8/4/2000 | Letter from LaChappa to Goff w/handwritten notes dated 08/04/00 | LUNA043132 | LUNA043133 | May |
| P0348 | 9/1/2000 | Letter from TeSam to Board of Directors SIHC dated 09/01/2000 | LUNA043136 | LUNA043139 | May |
| P0349 | 9/25/2000 | Letter from Goff to TeSam dated 09/25/2000 re: Your Letter dated September 1, 2000 on the Approval of the Ewiiapaayp Business Proposal | LUNA043140 | LUNA043141 | May |
| P0350 | 9/6/2000 | Letter from Shordike to Townsend dated 09/06/2000 re: Southern Indian Health Council and Cuyapaipe Contracts | DW-P030573 | DW-P030574 | May |
| P0351 | 9/26/2000 | Fax cover sheet from Oegema to Townsend, Downes dated 09/26/2000 w/ attached letter from Pinto to TeSam dated 09/25/2000 re: SIHC Board Votes | LUNA043147 | LUNA043154 | May |
| P0352 | 11/13/2000 | Email from Townsend to Penney etc., dated 11/13/2000 re: Bulfer is Drafting Contract for Ralph | LUNA031519 | LUNA031519 | May |
| P0353 | 11/17/2000 | Letter from Downes to Shordike dated 11/17/2000 re: SIHC-Ewiiapaayp Band Contracts | DW-P027051 | DW-P027053 | May |
| P0354 | 11/17/2000 | Consolidated Clinic Building Construction and Partial Lease Relinquishment Agreement between the Cuyapaipe Band of Diegueno Mission Indians and the Southern Indian Health Council, Inc. draft dated 11/17/2000 | BUCH002038 | BUCH002063 | May |
| P0355 | 11/17/2000 | Campo Clinic Construction Agreement among the Cuyapaipe Band of Diegueno Mission Indians and the Campo Band of Diegueno Mission Indians and the Southern Indian Health Council, Inc. draft dated 11/17/2000 | LUNA042733 | LUNA042753 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0356 | 11/17/2000 | Construction, Relocation and Lease Relinquishment Agreement between the Cuyapaipe Band of Diegueno Mission Indians and the Southern Indian Health Council, Inc. draft dated 11/17/2000 | LUNA041392 | LUNA041415 | May |
| P0357 | 11/21/2000 | Letter from Downes to Shordike dated 11/21/2000 re: SIHC-Ewiiapaayp | LUNA042086 | LUNA042103 | May |
| P0358 | 11/21/2000 | Campo Clinic Construction Agreement among the Cuyapaipe Band of Diegueno Mission Indians and the Campo Band of Diegueno Mission Indians and the Southern Indian Health Council, Inc. draft dated 11/21/2000 | LUNA018604 | LUNA018623 | May |
| P0359 | 11/21/2000 | Construction, Relocation and Lease Relinquishment Agreement between the Cuyapaipe Band of Diegueno Mission Indians and the Southern Indian Health Council, Inc. draft dated 11/21/2000 | LUNA018742 | LUNA018742 | May |
| P0360 | 11/29/2000 | Letter from Downes to Shordike dated 11/29/2000 re: Ewiiapaayp Band - SIHC Documents | DW-P030486 | DW-P030488 | May |
| P0361 | 12/13/2000 | Letter from Moore to Board of Directors, SIHC dated 12/13/2000 re: Relocation of Health Clinic and Relinquishment of Lease | DW-P008287 | DW-P008288 | May |
| P0362 | 2/15/2001 | Letter from Pinto to Attorney General dated 02/15/2001 re: Southern Indian Health Council, Inc. - Ewiiapaayp Band of Kumeyaay Indians transaction | DW-P035897 | DW-P035901 | May |
| P0363 | 3/6/2001 | Letter from Shordike to Moore dated 03/06/2001 re: Southern Indian Health Council. | DW-P024694 | DW-P024696 | May |
| P0364 | 4/3/2001 | Letter from Shordike to Moore dated 04/03/2001 re: Southern Indian Health Council | DW-P024687 | DW-P024693 | May |
| P0365 | 12/21/2000 | Consolidated Clinic Building Construction and Partial Lease Relinquishment Agreement between the Cuyapaipe Band of Diegueno Mission Indians and the Southern Indian Health Council, Inc. draft dated 12/21/2000 | LUNA024210 | LUNA024239 | May |
| P0366 | 12/21/2000 | Construction, Relocation and Lease Relinquishment Agreement between the Cuyapaipe Band of Diegueno Mission Indians and the Southern Indian Health Council, Inc. draft dated 12/21/2000 | HK16972 | HK16997 | May |
| P0367 | 12/21/2000 | Campo Clinic Construction Agreement between the Cuyapaipe Band of Diegueno Mission Indians and the Southern Indian Health Council Inc. draft dated 12/21/2000 | HK16949 | HK16971 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0368 | 8/30/2002 | 8/30/02 Letter from Julia Parry to Bulfer advising that Viejas Group was sending the SIHC an unfiled Derivative Complaint | DW-P00274 | DW-P00275 | May |
| P0369 | 11/20/2000 | 11/20/00 Letter from David Hahn to Diane Vitols, re: SIHC bylaws as set forth in 10/24/00 Letter | DW-P048739 | DW-P048741 | May |
| P0370 | 8/30/2002 | 8/30/02 Letter from Parry to Bulfer advising of sending the unfiled Derivative Complaint, w/ attached copy of Derivative Complaint | DW-P00279 | DW-P00313 | May |
| P0371 | 11/22/2002 | Defendant SIHC's memo of P's and A's ISO Motion to Quash Service of Summons and Complaint | DW-P00135 | DW-P00157 | May |
| P0372 | 11/21/2002 | Declaration of Bulfer ISO Motion to Quash Service of Summons and Complaint | DW-P00128 | DW-P00131 | May |
| P0372A | 12/26/2000 | Letter from Comerica Bank establishing line of credit for SIHC and Cuyapaipe Band, date of issue 12/26/00 | DW-P00132 | DW-P00134 | May |
| P0373 | 7/1/2003 | 7/1/03 Letter from Lee Hejmanowski to Downes and Oegema re: resolution and billing of Viejas v. Pinto et. al. | DW-P00315 | DW-P00330 | May |
| P0374 | 7/6/2000 | Resolution dated 7/6/00 opposing proposal to move the SIHC clinic | DW-P08361 | DW-P08362 | Will |
| P0375 | 7/21/2000 | 7/21/00 Letter from William Reavey to Kevin Gover, Ron Jaeger and Virgil Townsend re: Lease Relinquishment Agreement between SIHC and Cuyapaipe | DW-P08454 | DW-P08466 | May |
| P0376 | 9/14/2000 | 9/14/00 Letter from Ralph Goff to Clifford LaChappa re: LaChappa's 8/14/00 Letter to SIHC | DW-P49372 | DW-P49373 | May |
| P0500 | 4/7/2000 | Letter from Peebles to Townsend dated 04/07/2000 re: First Nation Gaming, LLC./Ewiiapaayp Band of Mission Indians | DW-P029477 | DW-P029478 | May |
| P0501 | 3/15/2000 | Letter from Penney to Gagnard dated 03/15/2000 | n/a | n/a | May |
| P0502 | 3/14/2000 | Fax cover sheet from Oegema to Peebles w/ attached letter dated 03/14/2000 re: March 10, 2000 Letter to Thomas Celani | n/a | n/a | May |
| P0504 | 3/21/2000 | Letter from Peebles to Oegema dated 03/21/2000 re: Ewiiapaayp Band of Mission Indians | n/a | n/a | May |
| P0505 | 3/15/2000 | Letter from Savoy to Penny (undated) w/faxtrax dated 03/15/2000 | n/a | n/a | May |
| P0505A | 3/10/2000 | Letter from Peebles to Celani dated 03/10/2000 re: Letter of Intent for a Development Agreement and Management Agreement for a gaming Facility/Ewiiapaayp Band of Mission Indians | n/a | n/a | May |
| P0505B | 3/17/2000 | Letter from Townsend to Peebles dated 03/17/2000 | n/a | n/a | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|-----------|-----------|--------------|
| P0505C | 3/23/2000 | Fax transmittal from McDonald to Peebles w/ attached letter dated 03/23/2000 | n/a | n/a | May |
| P0505D | 3/31/2000 | Letter from Peebles to McDonald dated 03/31/2000 re: Ewiiapaayp/Gaming Facility | n/a | n/a | May |
| P0505E | 4/6/2000 | Letter from Peebles to Townsend dated 04/06/2000 re: First Nation Gaming, LLC./Ewiiapaayp Band of Mission Indians | n/a | n/a | May |
| P0505F | 4/7/2000 | Letter from Peebles to McDonald dated 04/07/2000 re: Ewiiapaayp Gaming Facility | n/a | n/a | May |
| P0505G | 4/7/2000 | Fax cover sheet from Lambert to Peebles dated 04/07/2000 re: Ewiiapaayp Escrows w/ attached Escrow no. 93038747TE, 93038746TE; 93038696TE; | n/a | n/a | May |
| P0505H | 4/7/2000 | Fax cover sheet from Buch to Penney w/ attached letter dated 04/07/2000 re: Ewiiapaayp/Gaming Facility | n/a | n/a | May |
| P0505I | 4/26/2000 | Fax cover sheet from Silva to McLaughlin w/ attached letter dated 04/26/2000 re: Robert Gagnard and Robert Savoy, as Purchasers, Norene P. Faucett, Successor Trustee, as Seller Escrow #93038671 | n/a | n/a | May |
| P0505J | 6/7/2001 | Letter from Cox to Downes dated 06/07/2001 re: Ewiiapaayp Band of Mission Indians/First Nation Gaming | n/a | n/a | May |
| P0505K | 6/1/2000 | Letter from Peebles to Statigier dated 06/01/2000 | n/a | n/a | May |
| P0505L | 5/9/2000 | Fax transmittal from Heath to Young, Joyce, Peebles, Lambert, Broich and McDonald as written confirmation of recording, dated 05/09/2000 | n/a | n/a | May |
| P0505M | 5/3/2000 | Fax transmittal from Heath to Broich, McDonald, Peebles, Lambert dated 05/03/2000 re: Properties in Alpine, California w/ attached Report. | n/a | n/a | May |
| P0505N | 5/3/2000 | Fax transmittal from Heath to Broich, McDonald, Peebles, Lambert dated 05/03/2000 re: Properties in Alpine, California w/ attached Report. | n/a | n/a | May |
| P0505O | 5/22/2000 | Fax transmittal from Mary Heath to Young, Joyce, Lambert, Peebles, Broich, McDonald dated 05/22/2000 re: 4028 Willows Rd., Alpine CA 91010. w/ attached documents | n/a | n/a | May |
| P0505P | 5/23/2000 | Fax transmittal from Heath to Young, Joyce, Lambert, Peebles, Broich and McDonald re: APN 404-090-07-00, Alpine, CA dated 05/23/00. w/ attached documents. | n/a | n/a | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|---------------------------|------------|--------------|
| P0505Q | 5/25/2000 | Fax transmittal from Mary Heath to Young, Joyce, Lambert, Peebles, Broich, McDonald dated 05/25/2000 re: 4028 Willows Rd., Alpine CA 91010. w/ attached documents | n/a | n/a | May |
| P0505R | 5/31/2000 | Fax transmittal from Mary Heath to Young, Joyce, Lambert, Peebles, Broich, McDonald dated 05/31/2000 re: 4160 Willows Rd., Alpine CA 91010. w/ attached documents | n/a | n/a | May |
| P0506 | 4/11/2000 | Email from Townsend to Penney dated 04/11/2000 re: Peebles | LUNA016057 | LUNA016057 | May |
| P0507 | 4/12/2000 | Letter from Townsend to Peebles dated 04/12/2000 re: First Nation Gaming ("FNG") and the Ewiiapaayp Band of Mission Indians ("Band") | DW-P049067 | DW-P049079 | May |
| P0508 | 4/12/2000 | Letter from Peebles to Gagnard dated 04/12/2000 re: First Nation Gaming, LLC/Ewiiapaayp Band of Mission Indians | LUNA034815 | LUNA034815 | May |
| P0509 | 4/28/2000 | Email from Townsend to Peebles dated 04/28/2000 re: Mechoopda - extension of Exclusivity Agreement | LUNA162759 | LUNA162759 | May |
| P0510 | 4/28/2000 | Fax cover sheet from Townsend to Peebles w/ attached letter dated 04/28/2000 | DW-P031641 | DW-P031651 | May |
| P0511 | 04/00/2000 | Development Loan Agreement between Mechoopda and Action dated ____ day of April, 2000 | LUNA162865 | LUNA162883 | May |
| P0513 | 4/17/2000 | Email from Townsend to Buch dated 04/17/2000 re: FW: Judge dismisses lawsuit against Gun Lake tribe | LUNA016110 | LUNA016110 | May |
| P0514 | 5/1/2000 | Letter from Broich to Peebles dated 05/01/2000 re: Execution copies of Settlement Agreement and Option Agreement w/enclosed Agreements. | DW-P030774; DW-P030780 | DW-P030803 | May |
| P0515 | 5/3/2000 | Settlement and Non-Disparagement Agreement with full Mutual release and Dismissal of All Claims between FNG and Action | DW-P006705 | DW-P006711 | May |
| P0516 | 5/3/2000 | Option and Assignment Agreement between Gagnard and Savoy, and Cuyapaipe | DW-P006712 | DW-P006733 | May |
| P0517 | 5/5/2000 | Assignment and Assumption Agreement between Gagnard and Savoy, and Cuyapaipe | DW-P006752 | DW-P006766 | May |
| P0518 | 11/14/2000 | Letter from Sansone to Lockyer dated 11/14/2000 re: Tribal-State Gaming Compact - Indian gaming proposals in San Diego County - Comments on Environmental Evaluations | DW-P003937 | DW-P003941 | May |
| P0519 | 4/5/2000 | Letter from Townsend to Monteau, Lebeau, Peebles | n/a | n/a | May |
| P0520 | 4/19/2000 | Email from Townsend to Alvado dated 04/19/2000 re: Mechoopda. | n/a | n/a | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0521 | 4/20/2000 | Email from Colucci to Townsend dated 04/20/2000 re: Mechoopda | n/a | n/a | May |
| P0522 | 5/16/2000 | Letter from Peebles to Townsend, Oegema, dated 05/16/2000 re: Mechoopda Indian Tribe of the Chico Rancheria, Action Gaming Sacramento, LLC. | n/a | n/a | May |
| P0523 | 5/17/2000 | Letter from Townsend to Peebles dated 05/17/2000 | n/a | n/a | May |
| P0524 | 4/26/2000 | Letter from Broich to Peebles dated 04/26/2000 re: Settlement Agreement, Ewiiapaayp Band of Mission Indians/First Nation Gaming | DW-P030814 | DW-P030814 | May |
| P0525 | 11/18/2005 | Letter from Peebles to Hermosillo w/handwritten notes, dated 11/18/2005 re: Proposal for Legal Services for Fee-To-Trust issues | LUNA052306 | LUNA052309 | May |
| P0526 | 12/13/2005 | Cloverdale Tribal Council/Luna Meeting Minutes 12/13/2005 w/ handwritten notes | LUNA055269 | LUNA055271 | May |
| P0527 | 12/16/2005 | Fax cover from Hermosillo/Cloverdale to Pierce w/ attached Monteau & Peebles Invoice No. 20128,fdated 12/16/2005 | LUNA053501 | LUNA053507 | May |
| P0528 | 10/17/2003 | Letter from Oegema to Rosette dated 10/17/2003 re: Mechoopda Casino Project | LUNA100544 | LUNA100551 | May |
| P0529 | 7/28/2004 | Habematoel Resolution #08-04-01 Acceptance of Attorney Representation of Monteau & Peebles, LLP | LUNA118832 | LUNA118833 | May |
| P0530 | 4/21/2005 | Habematoel Weekly Meeting Minutes dated 04/21/2005 | LUNA076112 | LUNA076113 | May |
| P0531 | 5/5/2005 | Habematoel Weekly Meeting Minutes dated 05/05/2005 | LUNA076108 | LUNA076109 | May |
| P0532 | 5/19/2005 | Habematoel Weekly Meeting Minutes dated 05/19/2005 | LUNA076106 | LUNA076107 | May |
| P0533 | 10/22/2004 | Letter from Rosette to Oegema dated 10/22/2004 | LUNA077217 | LUNA077217 | May |
| P0533A | 10/22/2004 | Letter from Rosette to Oegema dated 10/22/2004 w/notes | LUNA077218 | LUNA077218 | May |
| P0534 | 11/19/2004 | Letter from Rosette to Celani dated 11/19/2004 re: Upper Lake Band of Pomo Indians | LUNA077215 | LUNA077216 | May |
| P0535 | 3/11/2005 | Memorandum from Anderson, Bergin to Picayune Tribal Council dated 03/11/2005 re: Preliminary Analysis of Draft Discussion Bill to Amend the Indian Gaming Regulatory Act | LUNA076706 | LUNA076709 | May |
| P0536 | 9/17/2004 | Letter from Coleman to Kazhe dated 09/17/2004 | LUNA076975 | LUNA076977 | May |
| P0537 | 1/17/2005 | Letter from Eskenazi to Schulte dated 01/17/2005 re: Kiowa Casino Operations Authority | LUNA115062 | LUNA115067 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|-----------|--------------|
| P0540 | 1/21/2001 | Letter from Zweig to Buch dated 01/21/2001 re: Proposal to Prepare Environmental Documentation for the Ewiiapaayp Band of Kumeyaay Indians | none | | May |
| P0541 | 1/31/2001 | AES Consulting Services Agreement (AES Job #201507) dated 01/31/2001 | none | | Will |
| P0542 | 3/21/2001 | Meeting Notes by David Zweig, AES, dated 03/21/2001 | none | | May |
| P0543 | 11/23/2001 | Letter from US DOI to Pinto dated 11/23/2001 w/enclosed Notice of Availability. | DW-P001006 | | May |
| P0544 | 11/23/2001 | Letter from US DOI to Copper, County of San Diego dated 11/23/2001 | DW-P000986 | | May |
| P0545 | 11/23/2001 | Letter from US DOI to Lockyer, California A.G., dated 11/23/2001 | DW-P000992 | | May |
| P0546 | 11/23/2001 | Letter from US DOI to Harrington dated 11/23/2001 | DW-P000996 | | May |
| P0547 | 11/23/2001 | Letter from US DOI to TeSam dated 11/23/2001 | DW-P001000 | | May |
| P0548 | 6/14/2002 | Memorandum from Acting Regional Director, Pacific Region to Superintendent, Southern California Agency re: National Environmental Policy Act Compliance - Cuyapaipe Band of Mission Indians (Ewiiapaayp band of Kumeyaay Indians), 16.69-Acre "Walker Site" Property, Trust Acquisition. | HK16685 | | May |
| P0549 | 7/22/2002 | Letter from US DOI to Pinto dated 07/22/2002 | DW-P022561 | | May |
| P0550 | 8/8/2002 | Email from Zweig to Micklin dated 08/08/2002 re: EIS | DW-P047166 | | May |
| P0551 | 8/9/2002 | Email from Buch to Downes dated 08/09/2002 re: EIS | DW-P007074 | | May |
| P0552 | 8/15/2002 | US DOI Order Dismissing Appeals Without Prejudice | DW-P000777 | | May |
| P0553 | 12/27/2002 | Letter from Pinto to Bear dated 12/27/2002 re: NEPA Compliance; Ewiiapaayp band of Kumeyaay Indians | none | | May |
| P0554 | 3/10/2003 | Letter from Nagle to Zweig dated 03/10/2003 | DW-P012654 | | May |
| P0555 | 2/4/2003 | Email from Zweig to Micklin dated 02/04/2003 re: Walker EA | 1512 | | May |
| P0556 | 5/21/2003 | Email from Buch to Broussard dated 05/21/2003 re: Ewiiapaayp EA - Public Comment Period | 1135 | | May |
| P0557 | 5/21/2003 | Email from Zweig to Buch dated 05/21/2003 re: Conversation with Mark Price - May 21 | DW-P005943 | | May |
| P0558 | 5/27/2003 | Letter from Hunter to Norton, Hogen dated 05/27/2003 | DW-P012621 | | May |
| P0559 | 6/1/2003 | Letter from Alpine Community Planning Group to Norton, Hogen dated 06/01/2003 re: Ewiiapaayp Environmental Assessment | DW-P012593 | | May |
| P0560 | 9/19/2003 | Email from Buch to Zweig dated 09/19/2003 re: Apologies | 1199 | | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|-----------|--------------|
| P0561 | 7/24/2003 | Media article "Tribe to pursue tougher environmental review" by Chet Barfield. | BDR000078 | | May |
| P0562 | n/a | DOI Notice of Intent to Prepare an Environmental Impact Statement for the Ewiiapaayp.... | DW-P004627 | | May |
| P0563 | 09/00/2003 | Professional Services Three-Party Agreement, AES, BIA and Ewiiapaayp, dated September __, 2003. | | | Will |
| P0564 | 2/23/2001 | Exhibit C Scope of Work Ewiiapaayp Environmental Studies dated 02/23/2001 | none | | Will |
| P0565 | n/a | Ewiiapaayp Reservation Casino/Southern Indian Health Council Clinic Lease Amendment/Fee-To-Trust Acquisitions EA Comments Received | LUNA190245 | | May |
| P0566 | 4/12/2000 | Letter from Zweig to Downes dated 04/12/2000 re: Qualifications for Fee to Trust Environmental Assessments w/ attached company profile | DW-P031401 | | May |
| P0567 | 5/1/2000 | Environmental Science Associates, Environmental Services Agreement dated 05/01/2000 between ESA and Cuyapaipe | LUNA033798 | | Will |
| P0568 | 6/22/2000 | Letter from Kaster to Zweig dated 06/22/2000 re: Cuyapaipe Clinic Site - 1985 Environmental Assessment | DW-P034560 | | May |
| P0569 | 7/11/2000 | Fax Cover from Zweig to Bush (sic) dated 07/11/2000 re: scope of work, w/ attached Scope of Work | DW-P034542 | | May |
| P0570 | 9/6/2000 | Letter from Kaster to Zweig dated 09/06/2000 re: Cuyapaipe Project | DW-P035569 | | May |
| P0571 | 3/24/2003 | Fax transmittal from Zweig to Distribution List dated 03/24/2003 w/ attached Summary of responses to NIGC & BIA Comments | LUNA028960 | | May |
| P0572 | 2/26/2001 | Email from Kaster to Buch dated 02/26/2001 re: FW: AES EA Agmt. | DW-P007500 | | May |
| P0573 | 3/1/2001 | Email from Micklin to Kaster dated 03/01/2001 re: Fw: EA Project | DW-P035051 | | May |
| P0574 | 10/23/2001 | Email from Micklin to Downes dated 10/23/2001 re: Walker EA Section 20 Discussion | LUNA142636 | | May |
| P0575 | 7/25/2002 | Email from Oegema to Baker-Shenk dated 07/25/2002 re: lgsd-Fwd: Casino EA Update | LUNA001349 | | May |
| P0576 | 11/26/2002 | Email from Baker-Shenk to Oegema dated 11/26/2002 re: FW: Ewiiapaayp EA Update | LUNA004523 | | May |
| P0577 | 8/14/2000 | Fax cover sheet from Kaster to Zweig w/ attached Project Meeting with NIGC and BIA regarding the Cuyapaipe Band Project in Alpine, California August 15, 2000. Dated 08/14/2000 | none | | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0600 | 10/3/1996 | Letter from Woodson, VP Regulatory Compliance to Stuckwisch NIGC 10/03/1996. | ALLI000408 | | May |
| P0601 | 4/2/1998 | Email from Saxton to Goldstein 04/02/1997 re Alpine Update II. | ALLI000722 | ALLI000724 | Will |
| P0602 | 8/3/1998 | Letter from Townsend to Saxton 08/03/1997 re: "fast track" political approvals for fee to trust transfer. | ALLI000721 | ALLI000721 | Will |
| P0603 | 7/16/1998 | Memorandum from Townsend to Saxton 07/16/1998 re: Trust Transfers of Land Under the Indian Gaming Regulatory Act. | DW-P032276 | DW-P032276 | Will |
| P0604 | 12/15/1998 | Memorandum from Bartholow to Milad 12/15/1998 re: Indian gaming Statistics - San Diego, CA | ALLI001606 | | May |
| P0605 | 8/14/1998 | Letter from Micklin to Pinto, Saxton 08/14/1998 re: Environmental Assessment enclosed. | ALLI001534 | | May |
| P0606 | 4/20/1999 | Letter from Pinto to Saxton 04/20/1999 re: priority actions. | ALLI001141 | ALLI001145 | May |
| P0607 | 4/28/1999 | Letter from Pinto to Saxton 04/28/1999 re: priority action items. | ALLI001138 | | May |
| P0608 | 11/23/1999 | Letter from Townsend to Saxton 11/23/1999 re: Walker Parcel agreements. | ALLI000936 | | Will |
| P0609 | 12/10/1999 | Letter from Pinto to Saxton 12/10/1999 re: continuation of Alliance support. | ALLI001557 | | May |
| P0610 | 12/20/1999 | Letter from Pinto to Robbins, Kirschbaum, DiCesare, Andre, Johnson, Miodunski, Saxton re: Native American Gaming Inc. | ALLI000962 | | May |
| P0611 | 1/11/2000 | Letter from Townsend to Saxton 01/11/2000 re: buy-out of the contract rights of Alliance. | ALLI000153 | | Will |
| P0612 | 1/11/2000 | Confidentiality and Non-Disclosure Agreement between North American Gaming and Alliance 01/11/2000. | ALLI000079 | | May |
| P0613 | 1/18/2000 | Letter from Pinto to Robbins, Kirschbaum, DiCesare, Andre, Johnson, Miodunski, Saxton re: Agreement | ALLI001248 | ALLI001250 | May |
| P0614 | 2/16/2000 | Facsimile with attached Alliance comments on Cuyapaipe Agreements from Saxton to Townsend. 02/16/2000 | DW-P049126 | DW-P049133 | May |
| P0615 | 2/00/2000 | Promissory Note between Ewiiapaayp and Native American Investments, Feb __, 2000, with Exhibits attached. | DW-P052136 | | May |
| P0616 | 2/15/2000 | Letter from Townsend to Pinto, Saxton, Micklin, Twait re: mark up of Termination Agmt, Note and Assignment Agreement "Alliance Documents" | DW-P030362 | | May |
| P0617 | 2/23/2000 | Letter from Townsend to Saxton 02/23/2000 re: Agreements. | DW-P030358 | | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0618 | 3/2/2000 | Letter from Savoy to Saxton 03/02/2000 re: Agreements, with attachments. | ALLI000900 | ALLI000915 | May |
| P0619 | 3/7/2000 | Letter from Pinto to Barbre, Gagnard dated 03/07/2000 | DW-P030352 | DW-P030353 | May |
| P0620 | 3/29/2000 | Termination Agreement between Ewiiapaayp and Native American Investments 3/29/2000 (Exhibit 6 to the Development Agreement dated 3/29/2000) | DW-P019292 | DW-P019454 | May |
| P0621 | 3/29/2000 | Promissory Note between Ewiiapaayp and Native American Investments 03/29/2000 | ALLI000897 | | May |
| P0622 | 3/7/2000 | Facsimile from Buch to Saxton 03/07/2000, with attached (Celani) Letter of Intent | ALLI001559 | | May |
| P0623 | 10/29/1997 | Letter from Townsend to Lerner 10/29/1997 re: Ewiiapaayp tribe also known as the Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California | ALLI000385 | ALLI000386 | May |
| P0624 | 11/4/1997 | Letter from Lerner to Penney 11/04/1997 re: Ewiiapaayp Tribe also Known as the Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California | ALLI000387 | | May |
| P0625 | 11/6/1997 | Letter from Lerner to Penney 11/06/1997 re: Ewiiapaayp Tribe also Known as the Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California | ALLI000356 | | May |
| P0626 | 1/23/1998 | Invoice No. 597571 01/23/1998 | ALLI000178 | | Will |
| P0627 | 2/20/1998 | Invoice No. 602847 02/20/1998 | ALLI000182 | | Will |
| P0628 | 4/14/1998 | Payment from Native American Investments 04/14/1998, \$5,581.96 | ALLI000368 | | May |
| P0629 | 5/7/1998 | Payment from Native American Investments 05/07/1998, \$11,1141.83 | ALLI000359 | | May |
| P0630 | 5/11/1998 | Letter from Lerner to Townsend w/encl check re Invoice 613199. | ALLI000358 | | Will |
| P0631 | 5/21/1998 | Invoice No. 619321 05/21/1998 | ALLI000194 | | Will |
| P0632 | 6/24/1998 | Invoice No. 625258 06/24/1998 | ALLI000196 | | Will |
| P0633 | 7/22/1998 | Invoice No. 630555 07/22/1998 | ALLI000198 | | Will |
| P0634 | 7/22/1998 | Invoice No. 630401 07/22/1998 | ALLI000185 | | Will |
| P0635 | 8/28/1998 | Invoice No. 639178 08/28/1998 | ALLI000191 | | Will |
| P0636 | 8/28/1998 | Invoice No. 639353 08/28/1998 | ALLI000200 | | Will |
| P0637 | 9/28/1998 | Fax from Penney to Saxton, with billing information attached | ALLI000205 | | Will |
| P0638 | 10/22/1998 | Invoice 446855 10/22/1998 | ALLI000176 | | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0639 | 9/22/1998 | Letter from Lerner to Townsend 09/22/1998 re: Invoices Nos. 619320 and 625159 | ALLI000351 | | Will |
| P0640 | 2/15/1996 | Development Agreement between the Ewiiapaayp tribe of Mission Indians and Native American Investments, Inc. 02/15/1996 | DW-P038156 | | Will |
| P0641 | 1/13/1998 | First Amendment to Development and Construction Agreement 01/13/1998. | ALLI001096 | | Will |
| P0642 | 1/14/1999 | Second Amendment to Development and Construction Agreement 01/14/1999 | ALLI000955 | | Will |
| P0643 | 2/15/1996 | Revised and Restated Management Agreement between Ewiiapaayp Band of Mission Indians and Native American Investments (Exhibit 3 to the Development Agreement dated 3/29/2000) | DW-P019171 | DW-P019239 | Will |
| P0644 | 1/12/1999 | Letter from Saxton to Neilson 01/12/1999 re: Native American Gaming | ALLI000084 | | May |
| P0645 | 1/12/1999 | Letter from Saxton to Larson 01/12/1999 re: Native American Gaming | ALLI000071 | | May |
| P0646 | 1/22/1999 | Confidentiality and Non-Disclosure Agreement between HWCC and Alliance 01/22/1999 | ALLI000027 | | May |
| P0647 | 2/26/1999 | Letter from Saxton to Fink, 01/26/1999 | ALLI000017 | | May |
| P0648 | 2/16/1999 | Letter from Saxton to Weien 02/16/1999 | ALLI000055 | | May |
| P0649 | 5/19/1999 | Confidentiality and Non-Disclosure Agreement between Trading Cove Associates and Alliance 05/19/1999 | ALLI000006 | | May |
| P0650 | 7/15/1999 | Letter from Saxton to Papazian 07/15/1999 | ALLI000002 | | May |
| P0651 | 9/17/1999 | Letter from Saxton to Minchey 09/17/1999 | ALLI000162 | | May |
| P0652 | 10/14/1999 | Facsimile from First Nation Gaming to Townsend with attached letter from Townsend to Minchey 10/14/1999, and Release of all Claims | DW-P030957 | | May |
| P0653 | 10/27/1999 | Letter from Baum/Harrahs to Saxton 10/27/1999 re: Ewiiapaayp Band | ALLI001204 | | May |
| P0654 | 1/11/2000 | Fax from Buch to Saxton/Kerry 01/11/2000 re: Non-Disclosure Agreement w/ attached Agreement. | ALLI000077 | | May |
| P0655 | 01/00/1999 | PowerPoint of Cuyapaipe Gaming Enterprise / Alliance Gaming Corp. 01/1999 | ALLI000088 | | Will |
| P0656 | n/a | Letter from Minchey to Saxton undated re: FNG formal offer to Alliance on interests in Development Agreement. | ALLI001154 | ALLI001154 | May |
| P0657 | 11/3/1999 | Letter from Saxton to Minchey 11/03/1999 re: Ewiiapaayp Counter Proposal. | ALLI001186 | ALLI001186 | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0658 | 11/10/1999 | Letter from Minchey to Saxton 11/10/1999 re: review of counter proposal. | ALLI001153 | ALLI001153 | May |
| P0659 | 12/6/1999 | Letter from Minchey to Saxton 12/06/1999 re: response to meeting between Alliance and FNG. | ALLI001150 | ALLI001150 | May |
| P0660 | 12/23/1999 | Letter from Saxton to FNG 12/23/1999 re: Ewiiapaayp Counter Proposal II. | ALLI001183 | ALLI001185 | May |
| P0661 | 1/4/2000 | Letter from Savoy to Saxton 01/04/2000 re: Ewiiapaayp tribe. | ALLI001151 | | May |
| P0662 | 3/19/1998 | Fax from Guassac to Saxton re: Contract Consultant w/ attached Agreement. | ALLI000244 | | May |
| P0663 | 2/27/1998 | Letter from Jones to Guassac 02/27/1998 re: business relationship with Alliance. | ALLI001519 | | May |
| P0664 | 2/28/2000 | Letter from Saxton to Guassac 02/28/2000 re: Consulting Agreement termination. | ALLI001502 | | May |
| P0665 | 2/29/2000 | Email from Lerner to Townsend 02/29/2000 re: Cuyapaipe Agreements with attachments. | ALLI000916 | | May |
| P0666 | 6/29/1998 | Fax from Lake to Saxton 06/29/1998 re: Alpine Planning Meeting with attached report. | ALLI001545 | | May |
| P0667 | 7/8/1998 | Memorandum re: Cuyapaipe Reservation - Summary Information. | ALLI001521 | | May |
| P0668 | 8/23/1999 | Memorandum from Garcia to Saxton, Townsend 08/23/1999 re: SIHC Board Meeting Regarding Draft LRA | ALLI000716 | ALLI000719 | May |
| P0669 | 10/11/1999 | Email from Townsend to Saxton 10/11/1999 re: Health Board Approves Relinquishment Contract | DW-P030941 | | May |
| P0670 | 2/17/1998 | Memorandum from Saxton to Goldstein 02/17/1998 re: Alpine, CA. | ALLI000248 | | May |
| P0671 | 7/17/1998 | Fax from Lake to Saxton 07/17/1998 re: Real Estate Attorney w/ attached fax to Lake from Nouskajian | ALLI000752 | | May |
| P0700 | n/a | Perrone CV dated 03/03/2009 | None | | May |
| P0703 | 2/1/2000 | Memorandum 02/01/2000 from Oegema to Townsend re: Cuyapaipe Band of Mission Indians/Thomas Celani | DYK001 | DYK046 | Will |
| P0705 | 1/11/2000 | Memorandum from Buch to Celani, Carr, 01/11/2000 re: Cuyapaipe Band -- Alpine, California -- Conversation with Bob Saxton. | BUCH002935 | BUCH002937 | Will |
| P0710 | 2/6/2000 | Memorandum from Buch to Celani, Carr dated 02/06/2000 re: "Weekly" Update - February 6, 2000 | BUCH034617 | BUCH034622 | Will |
| P0711 | 2/1/2000 | Memorandum from Oegema to Townsend dated 02/01/2000 re: Cuyapaipe Band of Mission Indians/Thomas Celani. | DW-P032221 | DW-P032223 | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|-----------|--------------|
| P0712 | 3/7/2000 | Letter from Celani to Ewiiapaayp Band of Mission Indians dated 03/07/2000 re: Letter of Intent for Development Agreement and Management Agreement of Gaming Facility. | DW-P049891 | | Will |
| P0713 | 3/8/2000 | Fax transmittal with Memorandum attached from Buch to Celani, Carr dated 03/08/2000 re: Update - March 8, 2000. | BUCH034635 | | Will |
| P0714 | 3/9/2000 | Letter from Townsend to Penney, Micklin, Oegema Buch dated 03/09/2000. | DW-P030337 | | Will |
| P0715 | 3/10/2000 | Letter from Peebles to Celani dated 03/10/2000 re: Letter of Intent for a Development Agreement and Management Agreement for a gaming Facility/Ewiiapaayp Band of Mission Indians | DW-P049094 | | May |
| P0716 | 3/14/2000 | Fax cover sheet from Oegema to Peebles w/ attached letter dated 03/14/2000 re: March 10, 2000 Letter to Thomas Celani | n/a | n/a | May |
| P0717 | 3/25/2000 | Email from Jarboe to Oegema; Townsend; Liedel; Perrone; Colucci dated 03/25/2000 re: Ewiiapaayp Transition Loan Agreement | DW0P032254 | | May |
| P0718 | 3/26/2000 | Email from Jarboe to Perrone, Jarboe; Townsend; Oegema; Liedel; Colucci; Carr; Buch dated 03/26/2000 re: Ewiiapaayp Transition Loan Agreement | DW0P032250 | | May |
| P0719 | 3/26/2000 | Email from Liedel to Jarboe; Townsend; Buch; Oegema; Liedel; Perrone dated 03/26/2000 re: Finance Related Documents for Cuyapaipe Transaction. | DW-P032249 | | May |
| P0720 | 3/00/2000 | Transition Loan Agreement dated March __, 2000 between Cuyapaipe and Leaning Rock and Action. | BUCH001557 | | Will |
| P0721 | 3/27/2000 | Email from Jarboe to Liedel; Townsend; Buch; Carr; Oegema; Perrone; Downes; Colucci dated 03/27/2000 re: Finance Related Documents for Cuyapaipe Transaction | DW-P032255 | | May |
| P0722 | 3/27/2000 | Articles of Incorporation for Action Gaming filed 03/27/2000 | LUNA031973 | | Will |
| P0723 | 3/30/2000 | Email from Jarboe to Townsend; Downes; Colucci; Oegema; Perrone dated 03/30/2000 re: Action/Cuyapaipe Financing Documents. | DW-P032200 | | May |
| P0724 | 5/31/2002 | Luna Gaming Expenditure Register: REIMBURSABLE as of May 31, 2002. | LUNA037607 | | Will |
| P0725 | 4/3/2000 | Email from Perrone to Jarboe; Oegema; Castillo; Colucci; Downes; Townsend dated 04/03/2000 re: Leaning Rock Opinion Approved. | DW-P007606 | | May |
| P0726 | 4/4/2000 | Letter from Jarboe to Perrone dated 04/04/2000 re: Leaning Rock Water Corporation | DW-P032080 | | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|-----------|--------------|
| P0729 | 3/29/2000 | Development Agreement between the Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California and Action Gaming LLC a Michigan limited liability company dated 03/29/2000. | DW-P033726 | | Will |
| P0730 | 3/29/2000 | Management Agreement between the Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California and Action Gaming LLC a Michigan limited liability company dated 03/29/2000. | DW-P037765 | | Will |
| P0731 | 2/15/1996 | Development Agreement between Ewiiapaayp and Native American Investments dated 02/15/1996 | DW-P038002 | | Will |
| P0732 | 2/15/1996 | Revised and Restated Management Agreement between Ewiiapaayp Band of Mission Indians and Native American Investments, Inc. 02/15/1996 | DW-P037933 | | Will |
| P0751 | 8/7/2001 | Memorandum from Oegema to Holtzman dated 08/07/2001 re: Thomas Celani | LUNA033673 | | May |
| P0752 | 9/25/2001 | Letter from Allbright to Celani dated 09/25/2001 re: San Diego - Cuyarpe (sic) Tribe Lands | LUNA032814 | | May |
| P0753 | 6/4/2002 | Email from Baker-Shenk to Allbright; Rosenthal; Holmes; Oegema dated 06/04/2002 re: Ewiiapaayp cover sheet. | LUNA174435 | | May |
| P0754 | 8/2/2002 | Letter from Oegema to Allbright dated 08/02/2002 re: Representation of Luna Entertainment. | LUNA033438 | | May |
| P0755 | 11/18/2002 | Letter from Oegema to Allbright dated 11/18/2002 re: Legal fees | LUNA033354 | | May |
| P0756 | 12/27/2002 | Letter from Oegema to Allbright dated 12/27/2002 re: Outstanding Invoices | LUNA110183 | | May |
| P0757 | 10/15/2001 | Email from Oegema to Allbright dated 10/15/2001 re: Hearing update | LUNA142856 | | May |
| P0758 | 10/15/2001 | Email from Oegema to Allbright dated 10/15/2001 re: SIHC - testimony FINAL 101701..doc; Garcia Oct 17 2001 hearing FINAL.doc. | LUNA142858 | | May |
| P0759 | 10/15/2001 | Memorandum from Guzik or Walsh to Resources Committee Staff dated 10/15/2001 re: Hearing on H.R. 1239 | BHFS000064 | | May |
| P0760 | 10/16/2001 | Email from Allbright to Oegema dated 10/16/2001 re: FW: testimony | LUNA142835 | | May |
| P0761 | 10/17/2001 | Testimony of Wayne Smith dated 10/17/2001 | BHFS000048 | | May |
| P0762 | 2/13/2002 | Letter from Dave Cox to Jaeger, Townsend dated 02/13/2002 | BHFS000030 | | May |
| P0763 | 3/19/2002 | Letter from Hunter et al to Gale Norton dated 03/19/2002 | BHFS000026 | | May |
| P0764 | 2/5/2002 | Memorandum from Blackwell to Regional Directors and Superintendents dated 02/05/2002 re: Trust Land Acquisitions | BHFS000003 | | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0765 | 2/6/2002 | Email from Baker-Shenk to Oegema dated 02/06/2002 re: FW: RE: important, please read this. | BHFS000002 | | May |
| P0766 | 2/7/2002 | Email from Baker-Shenk to Buch; Celani; Downes; et al dated 02/07/2002 re: Bad development. | BHFS000034 | | May |
| P0767 | 5/1/2002 | Email from Allbright to Baker-Shenk, Downes dated 05/01/2002 re: Lease Relinquishment Discussion | DW-P047039 | | May |
| P0767S | 00/00/1999 | First Nation Gaming Limited Liability Company Agreement Articles of Organization | DW-P032460 | | May |
| P0768 | 12/00/2001 | Environmental Assessment Ewiiapaayp Reservation dated 12/2001 | BHFS000072 | | May |
| P0768S | 8/20/1999 | Articles of Incorporation of RR Gaming of America, LLC | DW-P032497 | | May |
| P0769 | 1/3/2002 | Email from Allbright to Oegema dated 01/03/2002 re: RE: 01/03/02 Update | LUNA051052 | | May |
| P0769S | 8/23/1999 | Secretary of State, Louisiana, Articles of Incorporation filing 08/23/1999 | DW-P032496 | | May |
| P0770 | 4/8/2002 | Business Board Meeting Minutes #71 04/08/2002 | BUCH028161 | | Will |
| P0770S | 10/13/1999 | Memorandum from Twait to Saxton dated 10/13/1999 re: First Nation Gaming. | ALLI001192 | | May |
| P0771 | 12/29/2005 | New Client Matter form 12/29/05 | BHFS000101 | | Will |
| P0771S | n/a | Chart of Ewiiapaayp Option Land from Gagnard and Savoy | LUNA163293 | | May |
| P0772 | n/a | Martha Phillips Whitmore business card | None | | May |
| P0772S | 10/15/1999 | Letter from Townsend to Savoy dated 10/15/1999 | DW-P030928 | | May |
| P0773 | 12/6/1999 | Letter from Minchey to Saxton dated 12/06/1999 | ALLI001150 | ALLI001150 | May |
| P0774 | 2/23/2000 | Letter from Townsend to Savoy, Twait dated 02/23/2000 | DW-P030358 | | May |
| P0775 | 3/2/2000 | Letter from Savoy to Saxton dated 03/02/2000 | ALLI000900 | ALLI000915 | May |
| P0776 | 3/2/2000 | Draft Gaming Management Agreement between Cuyapaipe and First Nation Gaming dated 03/02/20000 | DW-P036245 | | Will |
| P0777 | 3/7/2000 | Letter from Pinto to Barbre dated 03/07/2000 | DW-P030349 | DW-P030350 | May |
| P0778 | 3/9/2000 | Letter from Savoy to Pinto dated 03/09/2000 | DW-P049148 | DW-P049152 | May |
| P0779 | 3/21/2000 | Letter from Peebles to Oegema dated 03/21/2000 re: Ewiiapaayp Band of Mission Indians | DW-P029486 | | May |
| P0780 | 4/7/2000 | Letter from Peebles to Townsend dated 04/07/2000 re: First Nation Gaming, LLC./Ewiiapaayp Band of Mission Indians | DW-P006807 | DW-P006808 | May |
| P0781 | 4/28/2000 | Letter from Broich to Peebles dated 04/28/2000 re: Settlement Agreement, Ewiiapaayp Band of Mission Indians/First Nation Gaming | DW0P030779 | DW0P030803 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|-------------------|------------|--------------|
| P0782 | 5/5/2000 | Assignment and Assumption Agreement between Gagnard and Savoy, and Cuyapaipe dated 05/05/2000 | DW-P030313 | | May |
| P0783 | 7/18/2001 | Joint Stipulation to Extend Time for Cross-Defendant Cuyapaipe Band of Mission Indians to File Initial Responsive Pleading 08/31/2001 | DW-P006909 | | May |
| P0784 | 5/11/2001 | Letter from Altona to Superior Court Clerk 045/11/2001 | DW-P006770 | | May |
| P0785 | 04/00/2000 | Complaint for Declaratory Relief | LUNA163318 | | May |
| P0800 | 10/26/2000 | 10/26/00 Email from Downes to Jim Townsend etc. re: a 10/26/00 meeting with Vitols in Palm Springs | LUNA159387 | LUNA159388 | May |
| P0801 | 8/14/2000 | 8/14/00 Letter from Dianne Jacob to Virgil Townsend opposing plan to move SIHC clinic | DW-P027668-27669 | | May |
| P0802 | 8/30/2002 | copy of Derivative Complaint filed by Viejas against SIHC | DW-P024430 | DW-P024462 | May |
| P0803 | 7/20/2004 | Summary of Joint Venture Agreement resolving dispute between Viejas and Ewiiapaayp | LUNA10828 | | May |
| P0804 | 12/16/2004 | 12/16/04 Email from Downes to Vitols and Riolo etc. re: draft of Viejas side letter | LUNA06335 | | May |
| P0805 | 12/16/2004 | 12/16/04 Letter from Anthony Pico to Harlan Pinto re: Viejas intention to follow through on joint venture proposal | LUNA3060-3061 | | May |
| P0806 | 4/12/2005 | 4/12/05 Letter from Duncan Hunter to George Skibine requesting he grant a meeting with the tribal representatives | LUNA01269 | | May |
| P0807 | 4/12/2005 | 4/12/05 Letter from Duncan Hunter to Philip Hogen advising of the above letter | LUNA01270 | | May |
| P0808 | 5/11/2005 | 5/11/05 Letter from Anthony Pico and Harlan Pinto to Skibine in follow-up to a memo re: their exercise of jurisdiction over tribal land | LUNA00343-346 | | May |
| P0809 | 8/30/2005 | 8/30/05 Memo from Downes, Baker-Shenk and Vitols to Skibine, etc re: Concepts and Questions on Joint Venture | LUNA44515-44530 | | May |
| P0810 | 11/8/2006 | 11/8/06 email from Riolo to Oegema re: a meeting in Las Vegas | LUNA197606-197607 | | May |
| P0811 | 7/17/2006 | 7/17/06 email from Riolo to Oegema re: establishing a line of credit for Celani | LUNA197822-197823 | | May |
| P0812 | 8/16/2006 | 8/16/06 email from Riolo to Oegema re: collection of debt from Celani | LUNA197815-197816 | | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|-------------------|-----------|--------------|
| P0813 | 2/3/2006 | 2/3/06 Letter from Pinto to Celani re: conversations between Luna and Ewiiapaayp on joint venture | LUNA03226-3228 | | May |
| P0814 | 10/12/2005 | 10/12/05 email from Riolo to Oegema re: meeting between Riolo, Micklin etc. and Fluhr, Hall and Brierton in DC | LUNA197966 | | May |
| P0815 | 11/29/2006 | 11/29/06 email from Riolo to Oegema re: relations with Cuyapaipe reps | LUNA197595-197596 | | May |
| P0816 | 3/6/2007 | 3/6/07 email from Riolo to Oegema re: message from Micklin about joint venture | LUNA197550-197551 | | May |
| P0817 | 4/16/2007 | 4/16/07 email forwarded by Riolo re: Bonnie Gracie and her 'spot bill' for Cuyapaipe issue | LUNA197505 | | May |
| P0818 | 5/16/2007 | 5/16/07 email from Riolo to Oegema re: opposition to JV legislation by Sens. Reid and Feinstein | LUNA197496-197497 | | May |
| P0819 | 3/13/2007 | 5/13/07 email chain between Riolo and Micklin re: Specific Ewiiapaayp-Viejas Lease Authority | LUNA197531-197534 | | May |
| P0820 | 6/10/2005 | 6/10/05 email from Baker-Shenk to Riolo etc. re: follow-up meeting on lease license | LUNA07949-7950 | | May |
| P0821 | 6/11/2005 | 6/11/05 email forwarded by Riolo re: Ewiiapaayp trust-to-trust transfer and lease-license for JV agreement | LUNA198006-198007 | | May |
| P0822 | 6/11/2005 | 6/11/05 email forwarded by Riolo re: Ewiiapaayp trust-to-trust transfer and lease-license for JV agreement | LUNA198004-198005 | | May |
| P0854 | 3/30/2009 | 3/30/09 Letter from Chapin to Lorenzo Gasparetti re: handwritten notes by expert Michael Cox, with notes attached | n/a | | May |
| P0855 | 2/23/2009 | Plaintiff Luna Gaming's Expert Witness Report of Michael Cox | n/a | | May |
| P0856 | 2/21/2003 | 2/21/03 email from Lucie Gikovich and Baker-Shenk to Oegema, Downes etc. re: conference call with Cox and tribal meeting with Nancy Pelosi | LUNA206935-206936 | | May |
| P0856A | 2/24/2003 | 2/24/03 email reply by Rosenthal to the above email | LUNA206925-206927 | | May |
| P0856B | 2/22/2003 | 2/22/03 email from Micklin to Jack Gribbon etc., re: conference call with Cox | LUNA206665-206666 | | May |
| P0856C | 2/24/2003 | 2/24/03 email from Gribbon to Baker-Shenk, Cox, Rosenthal etc. re: conference call | LUNA 206920 | | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|-------------------|------------|--------------|
| P0856D | 2/25/2003 | 2/25/03 email from Gribbon to Baker-Shenk, Dick Meltzer etc. re: conference call | LUNA206916 | | May |
| P0856E | 3/4/2003 | 3/4/03 email from Micklin to Oegema etc. re: SIHC meeting | LUNA206639-206640 | | May |
| P0856F | 4/14/2003 | 4/14/03 email from Buch to Oegema re: conference call | LUNA191417-191419 | | May |
| P0856G | 4/14/2003 | 4/14/03 email from Micklin to Gribbon etc. re: conference call | LUNA191417-191420 | | May |
| P0856H | 4/18/2003 | 4/18/03 email from Baker-Shenk to Cox re: Pombo fundraiser | LUNA191417-191421 | | May |
| P0856I | 4/21/2003 | 4/21/03 email from Micklin to Cox etc. re: Pombo fundraiser | LUNA191417-191422 | | May |
| P0856J | 4/21/2003 | 4/21/03 email from Micklin: Apr. 17 conference call summary | LUNA191417-191423 | | May |
| P0856K | 5/29/2003 | 5/29/03 email from Baker-Shenk to Norman Nickin etc. re: Republican Reps requesting EIS | LUNA191417-191424 | | May |
| P0856L | 5/29/2003 | 5/29/03 Norman Nickin reply to above email | LUNA191417-191425 | | May |
| P0857 | n/a | Index of Materials to Expert Michael Cox | LUNA191417-191426 | | May |
| P0858 | n/a | Joint Venture Agreement Binder (list of Bates ranges) | LUNA191417-191427 | | May |
| P0859 | 3/9/2009 | Plaintiff's Rebuttal report of Michael Cox | LUNA191417-191428 | | May |
| P0901 | 4/1/2009 | Internet Print out "Paul F. Welday Founder and Partner" from Renaissance Strategies web site. | n/a | n/a | May |
| P0902 | 9/6/2002 | Unsigned Letter from Paul Welday to Jim Oegema enclosing Strategic Public Affairs and Renaissance Strategies contracts with Luna, invoices and uncashed check from Tom Celani for Knollenberg/McCotter event | LUNA188618 | LUNA188618 | May |
| P0903 | 1/21/2009 | Consulting Agreement between Strategic Public Affairs and Luna Entertainment. | SPA 001 | SPA 051 | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P0904 | 6/8/2002 | Email from P. Welday enclosing draft Consulting Agreement between Luna Entertainment and Renaissance Strategies | LUNA188652 | LUNA188656 | May |
| P0905 | 2/4/2009 | Letter from Susan Orozco, Williams, Williams, Rattner & Plunkett, P.C. to Lisa B. Kim, Reed Smith forwarding the billing records from Strategic Federal Affairs, Strategic Public Affairs and Renaissance Strategies to Luna Entertainment | SPA 052 | SPA 268 | Will |
| P0906 | 9/16/2002 | Lobbying Registration Form; Registrant: Strategic Public Affairs, LLC; Client: Luna Entertainment; Lobbyists: Paul Welday - Congressional Aide; Robert C. Law; Dennis Hartel | DW-P011324 | DW-P011324 | May |
| P0907 | 3/20/2008 | Letter from Jim Oegema, Luna Entertainment to Paul Welday, Strategic Public Affairs regarding Termination of Relationship with Luna Entertainment | SPA 029 | SPA 029 | May |
| P0908 | 4/16/2002 | Letter from Wayne Smith Deputy Assistant Secretary - Indian Affairs to the Honorable Joe Knollenberg, Member of Congress in response to 3/12/2002 letter from Mr. Knollenberg re: status of fee-to-trust application of the Cuyapaipe Band to acquire 18 acres of land to build a health clinic | DW-P002588 | DW-P002588 | May |
| P0908A | 3/12/2002 | Letter from Joe Knollenberg, Member of Congress to Wayne Smith, Deputy Assistant Secretary - Indian Affairs re Cuyapaipe Project | DW-P002589 | DW-P002590 | May |
| P0909 | 7/8/2002 | Email from P. Welday to Jim (James) Oegema regarding a meeting | LUNA188650 | LUNA188650 | May |
| P0910 | 8/5/2002 | Email from P. Welday to Jim (James) Oegema; cc to Shannon Clapp subject - Renaissance Strategies attaching Renaissance Strategies July invoices to Luna | LUNA188656 | LUNA188656 | May |
| P0911 | 8/8/2002 | Email from P. Welday to Jim (James) Oegema re Donald Buch and Hayworth and Hunter | LUNA188644 | LUNA188645 | May |
| P0912 | 9/3/2002 | Email from P. Welday to Jim (James) Oegema re meeting with Jim Brandell and "lgd - DC call" | LUNA188625 | LUNA188625 | May |
| P0913 | 9/13/2002 | Email from Jim Oegema to Phillip Baker-Shenk; Paul Welday; cc to intelsec@aol.com re lgd - Call last night discussing Ewiiapaayp and Hunter situation and suggesting pressure on Griles, mentioning Martin and Rosetti | LUNA000617 | LUNA000617 | May |
| P0914 | 9/28/2002 | Email from P. Welday to Jim (James) Oegema re le-Team 100 questions regarding "Manistee airport thing..." | LUNA188607 | LUNA188608 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0915 | 8/16/2002 | Email from P. Welday to Jim (James) Oegema re Griles contact | LUNA188629 | LUNA188631 | May |
| P0916 | 10/1/2002 | Email from Jim Oegema to Phillip Baker-Shenk and Paul Welday re lgds - Hunter discussing introducing legislation to combat Hunter | LUNA000079 | LUNA000079 | May |
| P0917 | 10/2/2002 | Email from Philip Baker-Shenk to Paul Welday and Jim Oegema re lgds - Hunter discussing introduction of a stand-alone bill and omnibus bill | LUNA010650 | LUNA010651 | May |
| P0918 | 10/14/2002 | Email from P. Welday to Jim Oegema re Camp-Celani Meeting and opposing Hansen Resources Omnibus | LUNA188599 | LUNA188599 | May |
| P0919 | 12/10/2002 | Email from P. Welday to Jim Oegema re lgds - Andy Aboud meeting | LUNA188582 | LUNA188582 | May |
| P0920 | 12/10/2002 | Email from P. Welday to Jim Oegema re lgds - Andy Aboud meeting | LUNA188578 | LUNA188578 | May |
| P0921 | 6/9/2005 | Email from P. Welday to Irosenthal@ietan.com re Definite News Re: Status update re trust to trust transfer suggested by Philip Baker-Shenk | LUNA188515 | LUNA188516 | May |
| P0922 | 6/13/2005 | Email from Larry Rosenthal to Paul Welday re Definitive News re Status Update | LUNA188509 | LUNA188511 | May |
| P0923 | 9/14/2006 | Email from Paul Welday to (no recipient) re Pombo bill failing to get 2/3 (two-thirds) majority. | LUNA188470 | LUNA188470 | May |
| P0924 | 10/4/2006 | Email from P. Welday to Jim Oegema re Draft Viejas Letter | LUNA188469 | LUNA188469 | May |
| P0925 | 8/16/2002 | Email from P. Welday to Jim Oegema re Returning Your Call discussing contacts with Camp's office | LUNA188637 | LUNA188639 | May |
| P0926 | 2/21/2003 | Email from JackGibbon@aol.com to ewtribal@cts.com; lkg@platinumadvisors.com; hcs@platinumadvisors.com; dwa@platinumadvisors.com; Baker-Shenk.Philip@dorseylaw.com; Irosenthal@ietan.com; cc to bholmes@lmcinc.org; pwelday2002@yahoo.com; joegema@lunaent.com; downes.bradley@dorseylaw.com re ARGUMENTS suggesting to use Michael Cox and Dick Meltzer for Viejas project | LUNA206939 | LUNA206939 | May |
| P0927 | 8/8/2002 | Luna Entertainment fax cover from Jim (Oegema ?) to Tom forwarding Paul Welday's briefing memo dated 8/7/2002 from Paul Welday to Vice Presidential Advance/RNC regarding Status of Congressman Knollenberg Re-elect (MI-9) | LUNA031431 | LUNA031433 | May |
| P0928 | 10/11/2002 | Email from Paul Welday to Jim Oegema re lgds - Rodger Young | LUNA188602 | LUNA188602 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P0929 | 12/23/2002 | Email from Paul Welday to Intelsec@aol.com; dbuch@lunaent.com; mdf@san.rr.com; christopherlehane@msn.com; mikeepa@cts.com; ewtribal@cts.com; bholmes@lmcinc.org; Irosenthal@ietan.com; cc to Baker-Shenk.Philip@DorseyLaw.com; Downes.Bradley@dorseyLaw.com; teikweidee@email.msn.com regarding Responses to Norm's Email; other info. | LUNA211101 | LUNA211102 | May |
| P0930 | n/a | Chart of Ewiiapaayp Band of Kumeyaay Indians' and Luna Entertainment Lobbyists showing Name, Firm, Target and Comments | LUNA168368 | LUNA168368 | May |
| P0931 | 2/9/2003 | Email from Paul Welday to Intelsec@aol.com; Teikweidee@msn.com; mikeepa@cts.com; downes.bradley@dorseyLaw.com; ChristopherLehane@msn.com; dnbuch@hotmail.com; dzweig@analyticalcorp.com; tcelani@lunaent.com; ewtribal@cts.com; Baker-Shenk.philip@dorseyLaw.com; mdf@san.rr.com; bholmes@lmcinc.org; Irosenthal@ietan.com regarding Casino profits pit "brother vs. brother"/ Tiny band says wealthy neighbo... | LUNA207069 | LUNA207069 | May |
| P0932 | 5/19/2003 | Email from Jim Oegema to Paul Welday lgsd - President's Dinner | LUNA188535 | LUNA188536 | May |
| P0933 | 5/29/2003 | Email from Philip Baker-Shenk to Norm Nickin; Jack Gribbon; William Micklin; Michael Garcia; Downes Bradley; Michael Cox; Larry Rosenthal; Bob Holmes; Don Buch; Jim Oegema; Holly C. Shinstock; Lucie K. Gikovich; Paul Welday; Richard Meltzer regarding Hill Letter Requesting EIS | LUNA009829 | LUNA009829 | May |
| P0934 | 7/13/2004 | Email from Philip Baker-Shenk to Linda Pierce cc to Jim Oegema; P Welday regarding "Need information" discussing seating lists for National Republican Senatorial Committee | LUNA006792 | LUNA006793 | May |
| P0935 | 4/5/2005 | Email from Paul Welday to (no recipient) re Pombo discussing the day for an event at "Tom's house" and including an article about Pombo Seeking To Designate Locations of Indian Casinos | LUNA188517 | LUNA188517 | May |
| P0936 | 8/3/2005 | Email from Paul Welday to Jim Oegema re California discussing an opportunity that may be of interest to Tom - "on Sunday August 28, Joe Knollenberg's and Richard Pombo's schedules for visit in California (San Diego, San Jose) | LUNA188495 | LUNA188495 | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|-------------------|------------|--------------|
| P0937 | 10/18/2002 | Email from Paul Welday to Bob Holmes; Baker-Shenk.Philip@dorseyllaw.com; Irosenthal@ietan.com; Jim Oegema; Norm Nickin (intelsec@aol.com) regarding Other articles on the Hunter provion (provision?) | LUNA213776 | LUNA213780 | May |
| P0951 | 11/28/2000 | 11/28/00 Letter from Oegema to Cy Hill re: Thomas Celani License Renewal, incl. financial statements of Celani | LUNA98359-98394 | | May |
| P0952 | 6/6/2003 | 6/6/03 memo from Oegema and Dave Russell to Nickin re: Consulting Agreements, Business Purpose Affidavit, Demand Note, with docs in question (unsigned) | LUNA32850-32860 | | May |
| P0953 | 1/22/2004 | 1/22/04 Fax transmittal from Linda Pierce to Nickin incl. Consulting Agreement, Business Purpose Affidavit, Demand Note (signed) | LUNA32843-32849 | | May |
| P0954 | 10/6/2001 | 10/6/01 Email from Nickin to Baker-Shenk, Rosenthal, etc., re: Duncan Hunter's preparation for Ewiiapaayp Business Board on 9/25/01 | LUNA143344 | | May |
| P0955 | 10/11/2001 | 10/11/01 Email from Nickin to Buch etc., re: display boards for DC testimony | LUNA143182 | | May |
| P0956 | 10/13/2001 | 10/13/01 Email from Baker-Shenk to Nickin etc., re: hearing focus and objective against Duncan Hunter | LUNA015084 | | May |
| P0957 | 1/4/2002 | 1/4/02 Email from Nickin to Baker-Shenk etc., re: Ewiiapaayp EA and related matters | HK12000-12001 | | May |
| P0958 | 1/17/2002 | 1/17/02 Email from Downes to Nickin, etc., re: Wayne Smith and Viejas | LUNA175797-175798 | | May |
| P0959 | 3/10/2002 | 3/10/02 Email from Nickin to Buch re: BB meeting and Viejas | LUNA197413 | | May |
| P0960 | 10/20/2002 | 10/20/02 Email from Nickin to Oegema etc., re: Chairman Te Sam | LUNA213013 | | May |
| P0961 | 7/25/2003 | 7/25/03 Email from Buch to Micklin re: July 28 Tribe/Luna meeting | LUNA190149 | | May |
| P0962 | 1/11/2000 | 1/11/00 Memo from Buch to Tom Celani and Tom Carr re: conversation with Robert Saxton | BUCH002935 | BUCH002937 | Will |
| P1003 | 2/19/2009 | Plaintiff's Expert Witness Report of Peter Thompson | n/a | | May |
| P1004 | 4/1/2009 | List of Thompson Documents and Other Documents | n/a | | May |
| P1005 | n/a | Peter Thompson's Handwritten Notes | n/a | | May |
| P1009 | 2/11/2009 | Expert Report of John Riddle | n/a | | Will |
| P1010 | 3/6/2009 | Dorsey & Whitney's Rebuttal by Expert John Riddle to Report of Peter Thompson | n/a | | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|-----------------|-----------------|--------------|
| P1011 | 3/20/2009 | Dorsey & Whitney's Supplemental Rebuttal by Expert John Riddle to Report of Peter Thompson | n/a | | Will |
| P1012 | 2/19/2009 | 2/19/09 Letter from White to John Klinedinst, serving as Expert Witness Disclosure by Daniel White | n/a | | Will |
| P1012A | n/a | Printout of Westlaw Research regarding California Rules of Professional Conduct Rule 3-310: Avoiding the Representation of Special Interests | n/a | | May |
| P1013 | 12/12/2003 | 12/12/03 fax from Oegema to Baker-Shenk, re: Waiver of potential conflict of interest | HK18462 | HK18465 | Will |
| P1014 | 4/7/2009 | Handwritten notes by White | n/a | | Will |
| P1015 | n/a | Career summary of Tom Celani | n/a | | Will |
| P1016 | 1/16/2003 | Westlaw printout on professional negligence and Morici v. Gordon | n/a | | May |
| P1017 | 2/18/2009 | 2/18/09 Report of George Forman | | | Will |
| P1018 | 2/16/2009 | Copy of 2/16/09 Letter serving as Expert Witness Disclosure by Michael Cox, with George Forman's notes interjected | n/a | | Will |
| P1019 | n/a | George Forman's notes on summary of exhibits | n/a | | Will |
| P1024 | 3/4/2009 | Michael Anderson's Expert Report | n/a | | Will |
| P1301 | 2/19/2009 | Plaintiff Luna Gaming - San Diego, LLC's Expert Witness Report of Steven L. Braithwaite | n/a | | May |
| P1305 | 1/23/2008 | Letter to Edward Chapin, Chapin Wheeler LLP, from BBK, Ltd listing the documents used in preparation of the draft report | BRWPROD00001879 | BRWPROD00001880 | May |
| P1307 | 3/6/2009 | Plaintiff Luna Gaming - San Diego, LLC's Rebuttal Reports of Steven Braithwaite Pursuant to Rule 26(A)(2)(C) | n/a | | May |
| P1308 | 2/19/2007 | Rebuttal Expert Report of Peter Wrobel | n/a | | Will |
| P1309 | 3/6/2009 | Expert Report of Dana Basney Regarding Plaintiff's Lack of Proven Damages without Exhibits | n/a | | Will |
| P1310 | 2/19/2009 | Peter Wrobel's Expert Report | n/a | | Will |
| P1311 | 3/6/2009 | Peter Wrobel's Rebuttal Expert Report | n/a | | Will |
| P1312 | 4/15/2009 | Defendant Dorsey & Whitney LLP's Objections and Responses to Amended Notice of Deposition of Expert Peter Wrobel and Request for Production of Documents | n/a | | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|-------------------------|--|---------------------|------------|--------------|
| P1313 | 4/10/2009 | Email from P. Wrobel to Lisa Kim cc to Lorenzo Gasparetti regarding Luna Gaming/Wrobel responsive documents for deposition enclosing Wrobel's Emails and invoices/bills and other responsive documents | n/a | | Will |
| P1314 | 1/27/2009 | Expert Witness Fee Agreement between CBIZ MHM, LLC and Holland and Knight signed by Dana Basney | n/a | | Will |
| P1315 | 2/24/2009; 3/17/2009 | Invoices 61684 and 61208 to Klinedinst PC from CBIZ MHM, LLC for services provided | n/a | | Will |
| P1316 | 2/19/2009 | Expert Report of Dana Basney Regarding Plaintiff's Lack of Proven Damages with Exhibits | n/a | | Will |
| P1317 | 2/19/2009 | Rule 26 Report signed by Peter Wrobel | n/a | | Will |
| P1318 | 3/6/2009 | Rebuttal Report by Peter Wrobel | n/a | | Will |
| P1319 | 3/6/2009 | Declaration of Dana Basney Regarding Rebuttal to Report of Plaintiff's Experts Steven L. Braithwaite, Peter Thompson and Michael Cox | n/a | | Will |
| P1320 | none | Internal Rate of Return Calculations from Steven L. Braithwaite Production of Documents | BRWPROD0002 0490 | | May |
| P1321 | 3/6/2009 | Rebuttal Report by Steven L. Braithwaite | n/a | | May |
| P1400 | 00/00/2000 | Luna Gaming San Diego 2000 Disbursements | LUNA221842 | LUNA222401 | Will |
| P1401 | 00/00/2001 | Luna Gaming San Diego 2001 Disbursements | LUNA222402 | LUNA223178 | Will |
| P1402 | 00/00/2002 | Luna Gaming San Diego 2002 Disbursements | LUNA223179 | LUNA224052 | Will |
| P1403 | 00/00/2003 | Luna Gaming San Diego 2003 Disbursements | LUNA224053 | LUNA224899 | Will |
| P1404 | 00/00/2004 | Luna Gaming San Diego 2004 Disbursements | LUNA224900 | LUNA225386 | Will |
| P1405 | 00/00/2005 | Luna Gaming San Diego 2005 Disbursements | LUNA225387 | LUNA225613 | Will |
| P1406 | 00/00/2006 | Luna Gaming San Diego 2006 Disbursements | LUNA225614 | LUNA225884 | Will |
| P1407 | 00/00/2007 | Luna Gaming San Diego 2007 Disbursements | LUNA225885 | LUNA226257 | Will |
| P1408 | 11/17/2004 | Email from Jim Oegema regarding Brad and Phil | LUNA049274 | LUNA049275 | May |
| P1409 | 11/19/2002 | Email string regarding section 17 information | LUNA050401 | LUNA050402 | May |
| P1410 | 6/7/2002 | Email string regarding LGSD wire | LUNA005061 | LUNA005062 | May |
| P1411 | 10/11/2002 | Letter from Jim Oegema to Philip Baker-Shenk regarding work lists | LUNA022329 | LUNA022333 | May |
| P1412 | 2/27/2001 | Email string regarding AES Agreement | LUNA042908 | LUNA042910 | May |
| P1413 | 1/15/2003 | Email string regarding Palm Springs | LUNA050206 | LUNA050208 | May |
| P1414 | 12/17/2000 | Fax enclosing current bills | LUNA034905 | LUNA034917 | Will |
| P1415 | 9/29/2000 | Dorsey Invoice for Legal Services | LUNA047686 | LUNA047724 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1416 | 4/25/2002 | Letter from the Attorney General's Office, Dennis Eagan to Tony Pinto regarding SIHC | DW-P046705 | | May |
| P1417 | 6/6/2000 | Email regarding bullet points D1 | LUNA016296 | | May |
| P1418 | 6/6/2000 | Email regarding draft 4of the bullets | LUNA016246 | | May |
| P1419 | 11/27/2000 | Dorsey Invoice for Legal Services | LUNA047530 | LUNA047544 | Will |
| P1420 | 4/27/2001 | Dorsey Invoice for Legal Services | LUNA020344 | LUNA020358 | Will |
| P1421 | 6/22/2001 | Dorsey Invoice for Legal Services | LUNA048094 | LUNA048110 | Will |
| P1422 | 7/31/2001 | Dorsey Invoice for Legal Services | LUNA015980 | LUNA015994 | Will |
| P1423 | 11/30/2001 | Dorsey Invoice for Legal Services | LUNA008413 | LUNA008422 | Will |
| P1424 | 2/28/2002 | Dorsey Invoice for Legal Services | LUNA011627 | LUNA011643 | Will |
| P1425 | 3/31/2002 | Dorsey Invoice for Legal Services | LUNA000459 | LUNA000478 | Will |
| P1426 | 6/30/2002 | Dorsey Invoice for Legal Services | LUNA001675 | LUNA001690 | Will |
| P1427 | 4/30/2003 | Dorsey Invoice for Legal Services | LUNA005017 | LUNA005026 | Will |
| P1428 | 8/31/2003 | Dorsey Invoice for Legal Services | DW-P045195 | DW-P045203 | Will |
| P1429 | 7/18/2003 | Email regarding LGSD - DC Team | LUNA004539 | | Will |
| P1430 | 10/26/2001 | Email string regarding Bob Holmes | LUNA015243 | | May |
| P1431 | 4/24/2003 | Email string regarding confidential report | LUNA050038 | LUNA050039 | Will |
| P1432 | 2/22/2001 | Email string regarding Ruis/Curo Transaction - Fleming Agreement | LUNA020011 | LUNA020012 | Will |
| P1433 | 2/22/2001 | Email string regarding Ruis/Curo Transaction - Fleming Agreement | LUNA020017 | LUNA020019 | Will |
| P1434 | 2/22/2001 | Email string regarding Ruis/Curo Transaction - Fleming Agreement | LUNA020013 | LUNA020014 | Will |
| P1435 | 6/15/2000 | Email regarding draft resolution | LUNA013255 | LUNA013258 | Will |
| P1436 | 7/8/2002 | Email string regarding McCaleb meeting | LUNA012545 | LUNA012546 | Will |
| P1437 | 11/10/2000 | Letter from James Townsend to James Penney and William Micklin regarding the Alpine parcel | DW-P046596 | DW-P046598 | Will |
| P1438 | 8/26/2003 | Letter from Eric Young to Brad Downes enclosing bill | DW-P051761 | DW-P051764 | Will |
| P1439 | 12/28/2007 | Declaration of Philip Baker-Shenk in Support of Defendants Holland & Knight and Philip Baker-Shenk's Motion for Summary Judgment Or, In The Alternative, Summary Judgment | | | May |
| P1440 | 2/1/2008 | CV of James Townsend | | | Will |
| P1441 | 10/27/1999 | Email string regarding conflict check request | DW-P052513 | | Will |
| P1442 | 3/6/2000 | Email string regarding conflict check request | DW-P052516 | | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1443 | 3/29/2000 | Opinion Letter from Dorsey & Whitney to Action Gaming regarding the Tribe | DW0027309 | DW027313 | Will |
| P1444 | 6/28/2006 | Email from Jim Oegema to Brad Downes regarding JV Agreement | BDR000039 | | May |
| P1445 | 7/3/2006 | Email string regarding LGSD - letter to the chairman | BDR000041 | BDR000042 | May |
| P1446 | 2/16/2006 | Email from Jim Oegema to Brad Downes regarding JV Agreement | BDR000055 | | May |
| P1447 | 12/21/2006 | Memo from Brad Downes to James Oegema regarding Transfer of Viejas Trust Land for Gaming | BDR000110 | BDR000117 | Will |
| P1448 | 1/10/2007 | Memo from Brad Downes to James Oegema regarding Response to Viejas' Claim of Ineffective Waiver of Sovereign Immunity | BDR000211 | BDR000218 | Will |
| P1449 | 2/15/2006 | Email regarding Tribe Sale of Fee Properties and the Management Committee | LUNA005612 | | Will |
| P1450 | 2/16/2006 | Email string regarding Tribe Sale of Fee Properties and the Management Committee | LUNA009241 | LUNA009243 | Will |
| P1451 | 2/16/2006 | Email string regarding Tribe Sale of Fee Properties and the Management Committee | LUNA009872 | LUNA009875 | Will |
| P1452 | 3/12/2007 | Letter from Brad Downes to Harlan Pinto regarding legal services | LUNA220346 | | Will |
| P1453 | 3/11/2007 | BDR Invoice for Legal Services | LUNA220347 | LUNA220348 | Will |
| P1454 | 3/30/2000 | Comerica Bank Statement showing the transfer of \$3,000,000.00 to Alliance Gaming | LUNA107784 | LUNA107785 | Will |
| P1455 | 5/3/2000 | Comerica Bank Statement showing the transfer of \$595,000.00 to Cuyapaipe Band of Indians | LUNA111370 | LUNA111370 | Will |
| P1456 | n/a | Pre-Development Loan Chart for Luna Gaming San Diego to Cuyapaipe Band of Indians Note Receivable as of 5/31/2002 | DW-P006549 | DW-P006552 | Will |
| P1457 | n/a | Cost Summary - Costs Incurred by LUNA | | | Will |
| P1458 | n/a | Cost Summary - Total Amount of Dorsey & Whitney's Fees | | | Will |
| P1459 | n/a | Cost Summary - Dorsey & Whitney's Fees/Luna Gaming - San Diego | | | Will |
| P1460 | n/a | Current Site Photos | | | Will |
| P1461 | n/a | Current Site Photos | | | Will |
| P1462 | n/a | Current Site Photos | | | Will |
| P1463 | n/a | Aerial View Site Photos | | | Will |
| P1464 | n/a | Aerial View Site Photos | | | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1465 | 2/24/1987 | Southern Indian Health Council Lease Agreement (Exhibit 1 to the Development Agreement dated 3/29/2000) | DW-P019061 | DW-P019106 | Will |
| P1466 | 2/15/1996 | Native American Investments (NAI) and Ewiiapaayp Tribe of Mission Indians Development Agreement (Exhibit 4 to the Development Agreement dated 3/29/2000) | DW-P019241 | DW-P019289 | Will |
| P1467 | 3/30/2000 | Memorandum from Jim Townsend to File re Error in Exhibit List to the Development Agreement dated 3/29/2000 enclosing Exhibit 5 and 15 which are one and the same | BDR001096 | BDR001122 | Will |
| P1468 | 3/29/2000 | Assignment of Option Agreement between Alpine Willow Investments and Ewiiapaayp Band of Mission Indians (Exhibit 7 to the Development Agreement dated 3/29/2000) | DW-P019456 | DW-P019457 | Will |
| P1469 | 3/29/2000 | Promissory Note between Ewiiapaayp and Native American Investments for \$7,000,000.00 (Exhibit 8 to the Development Agreement dated 3/29/2000) | DW-P019459 | DW-P019461 | Will |
| P1470 | 9/10/1999 | Tribal-State Compact between the State of California and the Ewiiapaayp Band of Kumeyaay Indians (Exhibit 11 to the Development Agreement dated 3/29/2000) | BDR001302 | BDR001359 | Will |
| P1471 | 3/29/2000 | Comprehensive Resolution and Ordinance between Cuyapaipe Band of Mission Indians, also known as Ewiiapaayp Band of Kumeyaay Indians (Exhibit 12 to the Development Agreement dated 3/29/2000) | DW-P019472 | DW-P019478 | Will |
| P1472 | 3/29/2000 | Promissory Note A (Medical Clinic Loan I) for \$7,000,000.00 between Cuyapaipe Community of Diegueno Mission Indians, aka Ewiiapaayp Band of Kumeyaay Indians and Action Gaming (Exhibit 13 to the Development Agreement dated 3/29/2000) | DW-P019480 | DW-P019482 | Will |
| P1473 | n/a | Legal Description of Trust Parcel (Exhibit 14 to the Development Agreement dated 3/29/2000) | DW-P019484 | DW-P019484 | Will |
| P1474 | 3/15/1995 | Option Agreement between Walker and Alpine Willow Investments (Exhibit 15 to the Development Agreement dated 3/29/2000) | DW-P019486 | DW-P019511 | Will |
| P1475 | 3/29/2000 | Development Loan Agreement between Cuyapaipe Band of Mission Indians aka Ewiiapaayp Band of Kumeyaay Indians and Action Gaming LLC (Exhibit 17 to the Development Agreement dated 3/29/2000) | DW-P019531 | DW-P019548 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1476 | n/a | List of Parties of Interest (Exhibit 20 to the Development Agreement dated 3/29/2000) | DW-P019559 | DW-P019559 | Will |
| P1477 | n/a | Cuyapaipe Band of Mission Indians Arbitration Code (Exhibit 21 to the Development Agreement dated 3/29/2000) | DW-P019561 | DW-P019564 | Will |
| P1478 | n/a | Amendment to the Constitution of the Cuyapaipe Band of Mission Indians (Exhibit 22 to the Development Agreement dated 3/29/2000) | DW-P019566 | DW-P019566 | Will |
| P1479 | n/a | Dorsey & Whitney Records related to other Celani related engagements for the period from 1995 through 2005 | DW-P057471 | DW-P061917 | Will |
| P1480 | n/a | Constitution of the Ewiiapaayp of Kumeyaay Indians | DW-P003529 | DW-P003535 | May |
| P1481 | 10/28/1997 | Resolution | DW-P006846 | | May |
| P1482 | 12/10/2007 | Declaration of James Townsend in Support of Defendant Dorsey & Whitney LLP's Motion for Summary Judgment Of, In The Alternative, Partial Summary Judgment | | | May |
| P1483 | 2/23/2000 | Letter from James Townsend to Robert Saxton enclosing draft termination agreement | DW-P030358 | | May |
| P1484 | 2/23/2000 | Letter from James Townsend to Rodney Savoy and Doug Twait enclosing documents | DW-P03059 | DW-P030361 | May |
| P1485 | 2/15/2000 | Letter from James Townsend to Tony Pinto, Robert Saxton, Will Micklin and Doug Twait enclosing documents | DW-P030362 | DW-P030363 | May |
| P1486 | 1/11/2000 | Memo to Tom Celani and Tom Carr from Don Buch regarding conversation with Bob Saxton | BUCH002935 | BUCH002937 | Will |
| P1487 | 1/31/2000 | Confidentiality and Non Disclosure Agreement between Tom Celani and the Tribe | DW-P031178 | | May |
| P1488 | 6/1/2003 | Consulting Agreement between Don Buch and Luna Gaming | LUNA032908 | LUNA032910 | May |
| P1489 | 12/21/1999 | Memo from Don Buch to Tom Carr regarding update/issues/reading matter | BUCH034629 | BUCH034630 | Will |
| P1490 | 12/6/1999 | Fax from Don Buch to Tom Carr and Tom Celani enclosing notes from 11/29 - 12/3 trip to CA | BUCH034606 | BUCH034612 | Will |
| P1491 | 2/4/2007 | Webpage titled "www.theunverifiabletruth.com" | | | May |
| P1492 | | Article in the New York Times titled "With Riches At Stake, Two Tribes Square Off" | | | May |
| P1493 | 3/7/2000 | Letter from Tom Celani to the Tribe regarding letter of intent for Development and Management Agreements | DW-P030338 | DW-P030345 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P1494 | | Letter from James Townsend to Tom Celani regarding wire transfer | DW006463 | | May |
| P1495 | 1/11/2000 | Memo from Don Buch to Tom Carr regarding conversation with Jim Townsend | BUCH030040 | BUCH030041 | Will |
| P1496 | 1/23/2000 | Memo from Don Buch to Tom Celani and Tom Carr regarding Cuyapaipe proposal | BUCH034604 | BUCH034605 | Will |
| P1497 | 2/1/2000 | Memorandum from James Oegema to Jim Townsend providing information pursuant to the confidentiality and nondisclosure agreement | DW047020 | DW047022 | May |
| P1498 | 3/20/2001 | Lexis Corporate Search of the Michigan Department of Consumer & Industry Services, Bureau of Commercial Services, Corporate Division providing general corporate information | | | May |
| P1499 | 3/27/2000 | Articles of Organization for Action Gaming LLC | LUNA031973 | | Will |
| P1500 | 7/26/2000 | Letter from Kristin Richardson to CA Secretary of State enclosing Application for Registration | LUNA032008 | LUNA32009 | May |
| P1501 | 3/9/2000 | Letter from James Townsend discussing revisions to documents | DW-P030337 | | May |
| P1502 | 3/9/2000 | Letter from James Townsend discussing revisions to documents | DW043239 | | May |
| P1503 | 9/18/2000 | Business Board Meeting Minutes | BUCH028012 | BUCH028014 | Will |
| P1504 | 12/00/07 | Declaration of Mark Jarboe in Support of Defendant Dorsey & Whitney LLP's Motion for Summary Judgment Of, In The Alternative, Partial Summary Judgment | | | May |
| P1505 | 5/23/2001 | General Counsel Contract | DW-P006837 | DW-P006840 | May |
| P1506 | 12/00/07 | Declaration of Brad Downes in Support of Defendant Dorsey & Whitney LLP's Motion for Summary Judgment Of, In The Alternative, Partial Summary Judgment | | | May |
| P1507 | 3/17/2000 | Letter from James Townsend to John Peebles regarding the "Savoy Letter" | DW-P006813 | DW-P006815 | May |
| P1508 | 3/29/2000 | Letter from Dorsey & Whitney to Action Gaming regarding the examination of various documents | DW-P033565 | DW-P033569 | May |
| P1509 | 4/12/2000 | Letter from Dorsey & Whitney to Action Gaming regarding First Nation Gaming | DW-P006788 | DW-P006790 | May |
| P1510 | 4/13/2000 | Email string from Jim Townsend regarding Tribe Action | DW-P007602 | DW-P007603 | May |
| P1511 | 3/23/2001 | Letter from Brad Downes to Virgil Townsend enclosing copy of the Tribe's Request for Conveyance of Fee Land to Trust Status" | DW-P022405 | DW-P022406 | May |
| P1512 | 8/30/2001 | Letter from James Oegema to Fred Stuckwisch responding to 6/4/01 letter | DW017809 | DW017811 | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1513 | 6/13/2002 | Letter from Brad Downes to Ron Jaeger regarding Walker Property | DW-P022635 | DW-P022641 | May |
| P1514 | 11/16/2002 | Email from Brad Downes to Jim Oegema regarding SIHC | LUNA002003 | | May |
| P1515 | 2/3/2003 | Letter from Brad Downes to Fred Stuckwisch regarding 10/29/02 letter | DW-P041397 | DW-P041405 | May |
| P1516 | 4/21/2003 | Email from Philip Baker-Shenk regarding Cuyapaipe Labor Agreement | LUNA002800 | LUNA002810 | May |
| P1517 | 12/4/2003 | Email string regarding Dorsey letter | LUNA001597 | LUNA001598 | May |
| P1518 | 1/29/2004 | Email string regarding status of draft JV Agreement | LUNA005403 | LUNA005404 | May |
| P1519 | 8/10/2004 | Memorandum from Brad Downes and Philip Baker-Shenk regarding Viejas Band - Tribe Lease-License Concept | DW-P007863 | | May |
| P1520 | 2/1/03/03 | Email string regarding NIGC letter | LUNA003082 | | May |
| P1521 | 9/19/2003 | Resolution regarding approval of estimate from Holland & Knight | DW-P007628 | | Will |
| P1522 | 9/24/2003 | Letter from Harlan Pinto to Tom Celani regarding joint venture with Viejas | DW-P001756 | | May |
| P1523 | 9/10/2003 | Letter from Harlan Pinto to Gale Norton regarding joint venture | DW-P001757 | | May |
| P1524 | 9/5/2003 | Letter from the Tribe to Tom Celani regarding letter agreement | DW-P001758 | DW-P001760 | May |
| P1525 | 11/21/2003 | Letter from Holland & Knight to Tom Celani regarding waiver of potential conflict of interest | LUNA022370 | LUNA022373 | Will |
| P1526 | 12/11/2003 | Email string regarding conflict letter to Luna | LUNA002843 | LUNA002844 | Will |
| P1527 | 12/1/2003 | Letter from Holland & Knight to Tom Celani regarding waiver of potential conflict of interest | LUNA002845 | LUNA002847 | Will |
| P1528 | 12/9/2003 | Email string regarding waiver language | LUNA002013 | LUNA002014 | May |
| P1529 | 12/9/2003 | Email string regarding waiver language | LUNA001030 | LUNA001032 | May |
| P1530 | 12/12/2003 | Fax from Jim Oegema to Philip Baker-Shenk enclosing 12/1/03 Holland & Knight letter | HK18462 | HK18465 | May |
| P1531 | 12/28/2007 | Declaration of Philip Baker-Shenk in Support of Defendants Motion for Summary Judgment or, in the Alternative Summary Adjudication | | | May |
| P1532 | 12/6/2007 | Declaration of Brad Downes in Support of Dorsey & Whitney's Motion for Summary Judgment, Or, In The Alternative, Partial Summary Judgment | | | May |
| P1533 | 12/6/2007 | Declaration of Mark Jarboe in Support of Dorsey & Whitney's Motion for Summary Judgment, Or, In The Alternative, Partial Summary Judgment | | | May |
| P1534 | 10/8/2004 | Email string from Eric Eberhard regarding Friday Conference calls | LUNA007890 | LUNA007892 | May |
| P1535 | 1/31/2003 | Letter from Brad Downes to Fred Stuckwisch regarding Gaming Management Agreement | LUNA207313 | LUNA207322 | May |
| P1536 | 7/22/2000 | Email string from Jim Townsend regarding Intelligence | LUNA016836 | LUNA016837 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1537 | 9/11/2000 | Fax from Brad Downes to Don Buch enclosing letter from Dianne Jacobs | DW-P027665 | DW-P027669 | May |
| P1538 | 9/18/2000 | Email string regarding Viejas Response | LUNA160168 | LUNA160169 | May |
| P1539 | 10/26/2000 | Email from Brad Downes regarding conversation with Viejas representative | LUNA159387 | LUNA159388 | May |
| P1540 | 12/6/2000 | Letter from Harlan Pinto to Olin Jones regarding H.R. 5477 | DW-P030480 | DW-P030482 | May |
| P1541 | 11/14/2000 | Letter from Tony Pinto to Senator/Congressman regarding H.R. 5477 | DW-P030483 | DW-P030485 | May |
| P1542 | 1/4/2002 | Email string regarding Ewiiapaayp EA and related matters | LUNA219871 | LUNA219873 | May |
| P1543 | 1/17/2002 | Email string regarding "how do we handle Dianne?" | LUNA219691 | LUNA219692 | May |
| P1544 | 3/15/2002 | Email from Will Micklin to numerous recipients regarding TeSam Contract | DW-P006250 | | May |
| P1545 | 3/24/2002 | Email string regarding Viejas Newsletter Article | LUNA197408 | | May |
| P1546 | 7/23/2002 | Email string regarding Jacob and County Board | DW-P007087 | | May |
| P1547 | 10/5/2002 | Email string regarding update | LUNA192782 | LUNA192783 | May |
| P1548 | 9/10/1999 | Tribal-State Compact Between The State of CA and The Ewiiapaayp Band | BDR001302 | BDR001359 | May |
| P1549 | 3/13/2000 | Federal Register Vol. 65, No. 49 regarding Notices | DW-P024234 | DW-P024239 | May |
| P1550 | 3/27/2000 | Articles of Organization for Action Gaming | LUNA031973 | LUNA032008 | May |
| P1551 | 12/9/2008 | Website titled www.theverifiabletruth.com | | | May |
| P1552 | 4/11/2000 | Email string regarding draft letter | DW-P007104 | | May |
| P1553 | 4/2/2003 | Email from Jim Oegema to Intelsec regarding LGSD letter | LUNA197115 | | May |
| P1554 | 4/3/2003 | Email from Intelsec to Jim Oegema regarding update | LUNA197113 | | May |
| P1555 | 7/18/2002 | Letter from James Oegema to Fred Stuckwisch regarding Gaming Management Agreement | DW-P006408 | DW-P006410 | May |
| P1556 | 4/3/2003 | Letter from James Oegema to Fred Stuckwisch regarding Gaming Management Agreement | LUNA037635 | LUNA037637 | May |
| P1557 | 3/5/2004 | Fax enclosing letter to Regina Ann McCoy | DW-P012495 | DW-P012496 | May |
| P1558 | 9/18/2000 | Business Board Meeting Minutes | BUCH028012 | BUCH028012 | Will |
| P1559 | 12/10/2007 | Declaration of James Townsend in Support of Dorsey & Whitney's Motion for Summary Judgment Or, In The Alternative, Partial Summary Judgment | | | May |
| P1560 | 12/8/2008 | Website printout on Proposition 1A Gambling on Tribal Lands | | | May |
| P1561 | 11/11/2007 | Luna Entertainment website - www.lunaent.com | | | May |
| P1562 | 9/6/2002 | Letter from Tom Celani to Harlan Pinto regarding 8/26/02 correspondence | LUNA033369 | LUNA033371 | May |
| P1563 | 12/23/2003 | Email string regarding unpaid invoices | BUCH046016 | BUCH046018 | May |
| P1564 | 11/8/2007 | Email string regarding BB Invoice | LUNA221493 | LUNA221498 | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P1565 | 9/30/2003 | Email string regarding meeting in DC | LUNA000286 | LUNA000292 | May |
| P1566 | 11/18/2003 | Email string regarding joint venture | LUNA006332 | | May |
| P1567 | 10/8/2003 | Email string regarding revised term sheet | LUNA006780 | | May |
| P1568 | 10/10/2003 | Holland & Knight representation letter | LUNA022359 | LUNA022373 | May |
| P1569 | 11/10/2003 | Email string regarding Riolo call | LUNA049789 | LUNA049791 | May |
| P1570 | 10/31/2003 | Email string regarding Bill Simmons | LUNA049797 | LUNA049799 | May |
| P1571 | 12/23/2003 | Letter from Philip Baker-Shenk at Holland & Knight enclosing statement for services rendered | LUNA110287 | LUNA110292 | May |
| P1572 | 9/15/2003 | Letter from Mark Jarboe and Philip Baker-Shenk to Tom Celani informing of Philip Baker-Shenk's leaving Dorsey and going to Holland | LUNA022353 | LUNA022358 | May |
| P1573 | 1/23/2003 | Email from Jim Oegema regarding LGSD - DC Team | LUNA004539 | | May |
| P1574 | 10/2/2002 | Email string regarding LGSD - Hunter | LUNA010650 | LUNA010650 | May |
| P1575 | 11/17/2004 | Email string regarding "Brad and Phil" | LUNA049274 | LUNA049275 | May |
| P1576 | 7/18/2002 | Email string regarding LGSD - DC Team | LUNA050761 | LUNA050763 | May |
| P1577 | 10/24/2002 | Email string regarding 10-24 status on federal decision | LUNA003000 | | May |
| P1578 | 7/8/2002 | Email string regarding McCaleb meeting | LUNA012545 | LUNA012546 | May |
| P1579 | 2/14/2003 | Email string regarding March 2nd event Dearborn/Detroit | LUNA050114 | LUNA050115 | May |
| P1580 | 10/29/2002 | Memorandum to Will Micklin and Jim Oegema from Philip Baker-Shenk regarding status on federal decision requests | LUNA022334 | LUNA022335 | May |
| P1581 | 10/30/2002 | Email string regarding your call - invoices | LUNA005840 | LUNA005841 | May |
| P1582 | 6/7/2002 | Email string regarding LGSD wire | LUNA005061 | LUNA005062 | May |
| P1583 | 5/23/2002 | Email string regarding e-bill for March, 2002 work | LUNA007871 | LUNA007872 | May |
| P1584 | 1/15/2003 | Email string regarding Palm Springs | LUNA050206 | LUNA050208 | May |
| P1585 | 5/6/2002 | Email string regarding e-bill for March, 2002 work | LUNA050919 | LUNA050920 | May |
| P1586 | 10/11/2002 | Letter from James Oegema to Philip Baker-Shenk regarding work lists | LUNA022329 | LUNA022333 | May |
| P1587 | 4/22/2003 | Email string regarding LGSD - legal work | LUNA050041 | LUNA050042 | May |
| P1588 | 4/21/2003 | Email from Philip Baker-Shenk regarding Maloof | LUNA002598 | | May |
| P1589 | 11/18/2002 | Email from Philip Baker-Shenk regarding LGSD - BIA time line | LUNA002955 | | May |
| P1590 | 4/30/2003 | Dorsey Invoices for Legal Services Rendered | LUNA005017 | LUNA005026 | Will |
| P1591 | 5/12/2003 | Email from Jim Oegema regarding LGSD - visit with Pombo | LUNA007878 | | May |
| P1592 | 9/24/2002 | Email string regarding LGSD - partner | LUNA009759 | | May |
| P1593 | 3/25/2003 | Email string regarding Viejas Anti-Trust Litigation & Maloof | LUNA010358 | LUNA010359 | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|-------------|-------------|--------------|
| P1594 | 8/29/2002 | Email string regarding LSD - Political Contribution | LUNA010442 | LUNA010443 | May |
| P1595 | 10/26/2001 | Email string regarding Bob Holmes | LUNA015243 | | May |
| P1596 | 4/3/2003 | Email string regarding LGSD - Maloofs | LUNA011659 | | May |
| P1597 | 9/13/2002 | Email string regarding stations status | DW-P0047031 | DW-P0047032 | May |
| P1598 | 12/21/2001 | Email string regarding quick look pls | LUNA011792 | | May |
| P1599 | 6/15/2005 | Email string regarding status update | LUNA188498 | LUNA188500 | May |
| P1600 | 6/11/2005 | Email string regarding status update | LUNA188512 | LUNA188514 | May |
| P1601 | 11/10/1995 | New Matter Form for North American Gaming - Little River Band Ottawa Indians | DW-P052496 | DW-P052497 | Will |
| P1602 | 11/8/1995 | Email from Kristen Balke to Lach/Nelson regarding conflict checks; Danzer, Jeff | DW-P0052498 | | May |
| P1603 | 5/1/1996 | New Matter Form for North American Gaming - D.C. Reporting | DW-P052499 | | Will |
| P1604 | 1/21/1997 | New Matter Form for North American Gaming - Bay Mills Indian Community | DW-P052507 | | Will |
| P1605 | 1/13/1997 | Email from conflict checks to Lach/Nelson regarding conflict check request | DW-P052508 | | May |
| P1606 | 10/28/1999 | New Matter Form for North American Gaming - California Matters | DW-P052512 | | Will |
| P1607 | 10/27/1999 | Email string regarding conflict check request | DW-P052513 | | May |
| P1608 | 8/3/2000 | New Matter Form for Manistee Gaming LLC - General Corporate | DW-P052517 | DW-P052518 | Will |
| P1609 | 11/14/2000 | New Matter Form for Manistee Gaming LLC - Little River/Permanent Casino | DW-P052520 | DW-P052521 | Will |
| P1610 | 11/10/2000 | Email string regarding conflict check request | DW-P052522 | | May |
| P1611 | 11/13/2000 | Email string regarding conflict check request | DW-P052523 | DW-P052524 | May |
| P1612 | 4/3/2001 | New Matter Form for Manistee Gaming - Paskenta Band of Nomiaki Indians | DW-P052525 | | Will |
| P1613 | 4/2/2001 | Email string regarding conflict check request | DW-P052526 | DW-P052527 | May |
| P1614 | 5/2/2001 | New Matter Form for Luna Entertainment - Manistee Gaming/Little River Gaming Commission | DW-P052528 | DW-P052530 | Will |
| P1615 | 4/25/2001 | Email string regarding conflict check request | DW-P052531 | DW-P052532 | May |
| P1616 | 9/6/2001 | New Matter Form for Luna Entertainment - Little River Gaming Commission | DW-P052533 | | Will |
| P1617 | 9/4/2001 | Email string regarding conflict check request | DW-P052534 | | May |
| P1618 | 4/22/2005 | Email string regarding Viejas Concurrent Jurisdiction memo | LUNA164981 | LUNA164982 | May |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P1619 | 2/17/2006 | Email string regarding revised JV Agreement | LUNA164352 | LUNA164354 | May |
| P1620 | 2/3/2006 | Letter from Harlan Pinto to Tom Celani regarding JV Agreement | LUNA199575 | LUNA199577 | May |
| P1621 | 6/26/2007 | Email from James Oegema to Michael Garcia and Will Micklin regarding LGSD - discussion of possible alternatives | LUNA220292 | LUNA220295 | May |
| P1622 | 7/24/2000 | Email string regarding intelligence | LUNA016896 | LUNA016898 | May |
| P1623 | 6/19/2003 | Report titled "Comments on the Environmental Assessment for the Casino/Southern Indian Health Council Clinic Lease Amendment/Fee-to-Trust Acquisitions for the Ewiiapaayp Band of Kumeyaay Indians | LUNA028826 | LUNA028905 | May |
| P1624 | 9/28/1973 | Constitution of the Cuyapaipe Band of Mission Indians - Cuyapaipe Indian Reservation, California | LUNA022347 | LUNA022352 | May |
| P1625 | 1/2/1986 | Letter from US Dept of the Interior to Orin Joseph, SIHC | ALLI001137 | | May |
| P1626 | 12/13/2000 | Letter from Bill Lockyer to SIHC regarding relocation of the health clinic and Relinquishment of Lease | LUNA042930 | LUNA042931 | May |
| P1627 | 9/1/2000 | Letter from Steven TeSam to the SIHC regarding vote | LUNA043136 | LUNA043139 | May |
| P1628 | 11/20/2000 | Memo to Diane Vitols from David Hahn regarding SIHC - Proposed Bylaws | DW-P048739 | DW-P048741 | May |
| P1629 | 8/30/2002 | Letter from Julia Parry to Joseph Bulfer regarding Derivative Complaint | DW-P000279 | DW-P000313 | May |
| P1630 | 7/21/2000 | Letter from William Reavey regarding SIHC | DW-P008454 | DW-P008466 | May |
| P1631 | n/a | James Townsend's CV | | | May |
| P1632 | 3/12/2004 | Email string regarding Paskenta Consent Letter | LUNA203114 | LUNA203115 | Will |
| P1633 | 11/12/2002 | Email string regarding Little River Band - Workers' Compensation Matter | LUNA163944 | | Will |
| P1634 | 6/1/2000 | Fax from Don Buch to Jim Oegema and Jim Townsend regarding Cuyapaipe-Burkett & Wong Agreement | LUNA033775 | LUNA033796 | May |
| P1635 | 6/4/2000 | Fax from Bill Morris regarding the Tribe and attaching proposed terms of agreement | LUNA033757 | LUNA033774 | May |
| P1636 | 6/12/2000 | Business Board Meeting Minutes | LUNA048018 | LUNA048021 | Will |
| P1637 | 7/10/2000 | Minutes of Special Board Meeting | LUNA024131 | LUNA024132 | Will |
| P1638 | 06/00/00 | Second Amended and Restated Lease Relinquishment Agreement Between The Cuyapaipe Band of Mission Indians and the SIHC | LUNA016380 | LUNA016390 | Will |
| P1639 | 8/24/2000 | Email string regarding Shoredike | LUNA017151 | LUNA017152 | May |
| P1640 | 7/28/2000 | Memo from John Shoredike to Ralph Goff regarding Motions for BOD on abstention issue | DW-P003739 | DW-P003741 | May |
| P1641 | 7/31/2000 | Memo from Ralph Goff to BOD regarding the Chairman's Report | DW-P003742 | | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1642 | 8/22/2000 | Email string regarding SIHC Bylaws | LUNA017046 | | May |
| P1643 | 8/23/2000 | Email from Brad Downes regarding SIHC Bylaws Blackline | LUNA017246 | | May |
| P1644 | 6/29/2000 | Letter from James Townsend to John Shordike enclosing documents | DW-P029400 | | May |
| P1645 | 7/10/2000 | Consolidated Clinic Building Construction Agreement Between the Cuyapaipe Band and Diegueno Mission Indians and the SIHC | LUNA016721 | LUNA016733 | May |
| P1646 | 6/9/2000 | Email string regarding Opinion re Non Profit Corp Procedure and alleged conflict | LUNA016287 | LUNA016289 | May |
| P1647 | 6/6/2000 | Letter from John Shordike to Jim Townsend regarding SIHC and Cuyapaipe Issues and enclosing proposed terms of agreement | DW-P029431 | DW-P029433 | May |
| P1648 | 11/22/2000 | Letter from Steven TeSam to the SIHC regarding proposed Bylaw changes | DW-P030497 | DW-P030499 | May |
| P1649 | 11/15/2000 | Letter from Tony Pinto to Tribal Chairpersons regarding Congressman Hunter and bill HR 5477 | LUNA040622 | LUNA040624 | May |
| P1650 | n/a | H.R. 5477 | LUNA018189 | | May |
| P1651 | 6/6/2002 | Email string regarding discount | LUNA001586 | | May |
| P1652 | 2/11/2002 | Email regarding revised and amplified billings | LUNA011793 | | May |
| P1653 | 12/28/2007 | Declaration of Philip Baker-Shenk in Support of Holland & Knights Motion for Summary Judgment Or In The Alternative Summary Adjudication | | | May |
| P1654 | 6/8/2000 | Email string regarding draft briefing book and revised bullets | LUNA016290 | LUNA016291 | May |
| P1655 | 10/11/2001 | Email string regarding additional comments regarding display boards for DC testimony | | | May |
| P1656 | 4/13/2000 | Email from Jim Townsend to Bradley Downes, Mark Jarboe, Jeff Sikkema cc to James Oegema, Paula Colucci marked "Attorney Work Product" regarding Letter Dated April 12 Addressed to Gagnard | LUNA163331 | LUNA163331 | Will |
| P1657 | 5/9/2000 | Email from Bradley Downes to Jim Townsend, James Oegema marked "Attorney Client Privileged" and "Work Product" regarding License Fees | LUNA162568 | LUNA162568 | Will |
| P1658 | 8/29/2000 | Facsimile from James Townsend to James Oegema enclosing Memorandum marked "Privileged and Confidential" and "Attorney Work Product" regarding Negotiations with Southern Indian Health Council | LUNA022271 | LUNA022279 | Will |
| P1659 | 7/24/2000 | Email from Philip Bakershenk to Jim Townsend cc to Virginia Boylan, James Penney, Mark Jarboe, Michael Garcia, James Oegema, Donald Buch stating "emails to our clients presumptively and normally contain confidential and privileged materials..." regarding Intelligence | LUNA016896 | LUNA016898 | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1660 | 5/9/2000 | Email from Bradley Downes to Jim Townsend, Mark Jarboe, Michael Broich cc to James Oegema, Jim Penney, dnbuch@hotmail.com marked "Attorney-Client Privileged" and "Work Product" and "Privileged and Confidential" regarding FNG Settlement | LUNA016174 | LUNA016174 | Will |
| P1661 | 4/13/2000 | Email from Jim Townsend to Bradley Downes, Mark Jarboe, Jeff Sikkema cc to James Oegema regarding Cuyapaibe Action marked "Attorney Work Product" and "Privileged and Confidential" | DW-P007602 | DW-P007603 | Will |
| P1662 | 4/13/2000 | Email from Jim Townsend to Christopher Karns, Mark Jarboe, Jeff Sikkema, Bradley Downes cc to James Oegema regarding waivers by plaintiff tribes marked "Attorney Work Product" and "Privileged and Confidential" | LUNA016066 | LUNA016067 | Will |
| P1663 | 4/6/2005 | Email from Philip Baker-Shenk to Jim Oegema, Friolo, Wmicklin, cc to Bradley Downes and michaelg, dvtols regarding BAD NEWS indicating that this email is "attorney-client" or "work product privileged" | LUNA011511 | LUNA011512 | Will |
| P1664 | 10/29/2000 | Memorandum from Philip Baker-Shenk to Will Micklin, Jim Oegema cc to Larry Rosenthal, Bob Holmes, Bradley Bledsoe Downes regarding Status of Federal Decision Requests marked "Attorney Work Product" and "Privileged and Confidential" | HK12290 | HK12291 | Will |
| P1665 | 2/26/2001 | Email from Mark Kaster to Donald Buch, Jim Oegema cc to Ewiiapaayp Tribe, Bradley Downes regarding AES EA Agmt marked "Message is Legally Privileged" | DW-P007500 | DW-P007502 | Will |
| P1666 | 4/13/2000 | Email from Jim Townsend to Bradley Downes, James Oegema cc to Mark Jarboe regarding Declaratory Relief Complaint marked "Attorney-Client Privileged" and "Work Product" | DW-P007103 | DW-P007103 | Will |
| P1667 | 11/12/2002 | Memorandum from Bradley G. Bledsoe Downes, to Harlan Pinto cc to Philip Baker-Shenk and James Oegema regarding Section 17 Concept Timeline marked "Privileged and Confidential" and "Attorney Work Product" | LUNA212087 | LUNA212089 | Will |
| P1668 | 6/19/2000 | Ewiiapaayp Casino Business Board Meeting Minutes | DW-P003757 | DW-P003758 | Will |
| P1669 | 2/20/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | DW-P003965 | DW-P003966 | Will |
| P1670 | 8/13/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | DW-P005152 | DW-P005153 | Will |
| P1671 | 2/5/2003 | Ewiiapaayp Casino Business Board Meeting Minutes | DW-P007644 | DW-P007647 | Will |
| P1672 | 3/11/2002 | Ewiiapaayp Casino Business Board Meeting Minutes | DW-P007675 | DW-P007679 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1673 | 6/13/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | DW-P007710 | DW-P007711 | Will |
| P1674 | 5/29/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | DW-P007712 | DW-P007713 | Will |
| P1675 | 6/12/2000 | Ewiiapaayp Casino Business Board Meeting Minutes | DW-P026877 | DW-P026880 | Will |
| P1676 | 9/25/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 56 | HK06474 | HK06476 | Will |
| P1677 | 7/16/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 50 | HK10308 | HK10309 | Will |
| P1678 | 7/23/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 51 | HK10339 | HK10341 | Will |
| P1679 | 7/3/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 49 | HK10348 | HK10350 | Will |
| P1680 | 6/27/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 48 | HK10357 | HK10358 | Will |
| P1681 | 6/18/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | HK10363 | HK10364 | Will |
| P1682 | 5/29/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | HK10386 | HK10387 | Will |
| P1683 | 2/27/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 67 | HK11413 | HK11416 | Will |
| P1684 | 1/9/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 63 | HK11965 | HK11967 | Will |
| P1685 | 4/3/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 70 | LUNA000084 | LUNA000088 | Will |
| P1686 | 4/8/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 71 | LUNA000569 | LUNA000572 | Will |
| P1687 | 12/4/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 82 | LUNA000634 | LUNA000636 | Will |
| P1688 | 10/30/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 77 | LUNA001014 | LUNA001017 | Will |
| P1689 | 11/20/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 80 | LUNA002413 | LUNA002416 | Will |
| P1690 | 2/5/2003 | Ewiiapaayp Casino Business Board Meeting Minutes # 85 | LUNA002837 | LUNA002840 | Will |
| P1691 | 2/14/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 66 | LUNA004467 | LUNA004470 | Will |
| P1692 | 11/27/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 60 | LUNA175991 | LUNA175993 | Will |
| P1693 | 2/5/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 65 | LUNA005049 | LUNA005051 | Will |
| P1694 | 3/11/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 68 | LUNA005848 | LUNA005852 | Will |
| P1695 | 12/12/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 62 | LUNA008248 | LUNA008250 | Will |
| P1696 | 1/15/2003 | Ewiiapaayp Casino Business Board Meeting Minutes # 84 | LUNA009216 | LUNA009218 | Will |
| P1697 | 8/27/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 74 | LUNA009249 | LUNA009252 | Will |
| P1698 | 11/27/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 81 | LUNA009431 | LUNA009434 | Will |
| P1699 | 1/7/2003 | Ewiiapaayp Casino Business Board Meeting Minutes # 83 | LUNA009531 | LUNA009534 | Will |
| P1700 | 7/3/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 73 | LUNA174013 | LUNA174017 | Will |
| P1701 | 11/19/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 59 | LUNA010297 | LUNA010299 | Will |
| P1702 | 10/22/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 58 | LUNA010300 | LUNA010301 | Will |
| P1703 | 11/6/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 78 | LUNA010815 | LUNA010818 | Will |
| P1704 | 12/3/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 61 | LUNA011501 | LUNA011503 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1705 | 11/13/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 79 | LUNA011769 | LUNA011772 | Will |
| P1706 | 3/27/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 69 | LUNA012450 | LUNA012453 | Will |
| P1707 | 1/28/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 64 | LUNA012475 | LUNA012478 | Will |
| P1708 | 8/6/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 52 | LUNA01855 | LUNA01857 | Will |
| P1709 | 8/13/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 53 | LUNA012862 | LUNA012863 | Will |
| P1710 | 8/27/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 54 | LUNA012930 | LUNA012932 | Will |
| P1711 | 9/17/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 55 | LUNA012940 | LUNA012942 | Will |
| P1712 | 10/8/2001 | Ewiiapaayp Casino Business Board Meeting Minutes # 57 | LUNA013048 | LUNA013048 | Will |
| P1713 | 5/10/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA152370 | LUNA152371 | Will |
| P1714 | 5/17/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013078 | LUNA013080 | Will |
| P1715 | 5/29/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013087 | LUNA013088 | Will |
| P1716 | 6/13/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013095 | LUNA013096 | Will |
| P1717 | 6/18/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013127 | LUNA013128 | Will |
| P1718 | 1/8/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013435 | LUNA013436 | Will |
| P1719 | 1/16/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013437 | LUNA013438 | Will |
| P1720 | 1/22/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013442 | LUNA013443 | Will |
| P1721 | 1/29/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA155445 | LUNA155447 | Will |
| P1722 | 2/12/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013677 | LUNA013678 | Will |
| P1723 | 2/20/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013701 | LUNA013702 | Will |
| P1724 | 3/11/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013706 | LUNA013708 | Will |
| P1725 | 3/26/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013715 | LUNA013717 | Will |
| P1726 | 4/2/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA154567 | LUNA154567 | Will |
| P1727 | 4/9/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA013735 | LUNA013736 | Will |
| P1728 | 7/23/2001 | Luna Entertainment - San Diego LLC Index of Business Board Meeting documents include Agenda, Minutes and Community Letter | LUNA048133 | LUNA048149 | May |
| P1729 | 6/27/2001 | Luna Entertainment - San Diego LLC Index of Business Board Meeting documents include Agenda, Minutes, Attorney Work, Invoices | LUNA048228 | LUNA048252 | May |
| P1730 | 4/16/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA153090 | LUNA153091 | Will |
| P1731 | 2/26/2001 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA155012 | LUNA155014 | Will |
| P1732 | 12/11/2000 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA156813 | LUNA156813 | Will |
| P1733 | 12/4/2000 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA156994 | LUNA156994 | Will |
| P1734 | 11/20/2000 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA157856 | LUNA157857 | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P1735 | 11/13/2000 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA159038 | LUNA159039 | Will |
| P1736 | 11/6/2000 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA159157 | LUNA159158 | Will |
| P1737 | 10/30/2000 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA159169 | LUNA159171 | Will |
| P1738 | 10/23/2000 | Ewiiapaayp Casino Business Board Meeting Minutes | LUNA159382 | LUNA159383 | Will |
| P1739 | 10/16/2002 | Ewiiapaayp Casino Business Board Meeting Minutes # 75 | LUNA212604 | LUNA212606 | Will |
| P1740 | 6/16/2000 | TVC Enterprises Development Check 1084 to Dykema Gossett and supporting documents, invoices | LUNA111450 | LUNA111461 | Will |
| P1741 | 8/11/2000 | TVC Enterprises Development Check 1107 to Dykema Gossett and supporting documents, invoices | LUNA111928 | LUNA111932 | Will |
| P1742 | 8/15/2000 | Dykema Gossett bills and invoices to Tom Celani | LUNA034945 | LUNA034917 | Will |
| P1743 | 10/11/2000 | TVC Enterprises Development Check 1125 to Dykema Gossett and supporting documents, invoices | LUNA112015 | LUNA112018 | Will |
| P1744 | 12/6/2000 | Letter from Bradley Bledsoe Downes to James Penney, Ewiiapaayp Tribal Office requesting payment for invoices 765297 and 791023 and informing about Alliance payment on 3/21/2000 | DW-P051760 | DW-P051760 | Will |
| P1745 | 8/26/2003 | Gordon & Rees Invoice to Dorsey & Whitney subject Cuyapaipe Tribe | DW-P051761 | DW-P051764 | Will |
| P1746 | 7/11/2002 | Gordon & Rees Invoice to Dorsey & Whitney subject Ruis/Curo Property | DW-P052056 | DW-P052059 | Will |
| P1747 | 1/31/2002 | Gordon & Rees Invoice to Dorsey & Whitney subject General Acquisition & Development | DW-P052060 | DW-P052067 | Will |
| P1748 | 12/31/2001 | Gordon & Rees Invoice to Dorsey & Whitney subject Ruis/Curo Property | DW-P052068 | DW-P052070 | Will |
| P1749 | 9/21/2001 | Gordon & Rees Invoice to Dorsey & Whitney subject Ruis/Curo Property | DW-P052073 | DW-P052077 | Will |
| P1750 | 7/9/2007 | Letter from Bledsoe Downes & Rosier to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221379 | LUNA221381 | Will |
| P1751 | 8/9/2007 | Letter from Bledsoe Downes & Rosier to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221382 | LUNA221384 | Will |
| P1752 | 9/17/2007 | Letter from Bledsoe Downes & Rosier to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221385 | LUNA221387 | Will |
| P1753 | 10/15/2007 | Letter from Bledsoe Downes & Rosier to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221388 | LUNA221390 | Will |
| P1754 | 11/5/2007 | Letter from Bledsoe Downes & Rosier to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221391 | LUNA221394 | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1755 | 12/10/2007 | Letter from Bledsoe Downes & Rosier to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221395 | LUNA221397 | Will |
| P1756 | 12/18/2007 | Letter from Philip Baker-Shenk at Holland & Knight to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221399 | LUNA221403 | Will |
| P1757 | 9/4/2007 | Letter from Philip Baker-Shenk at Holland & Knight to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221404 | LUNA221410 | Will |
| P1758 | 9/21/2007 | Letter from Philip Baker-Shenk at Holland & Knight to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221418 | LUNA221423 | Will |
| P1759 | 10/23/2007 | Letter from Philip Baker-Shenk at Holland & Knight to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221430 | LUNA221436 | Will |
| P1760 | 11/20/2007 | Letter from Philip Baker-Shenk at Holland & Knight to Robert Pinto, Ewiiapaayp Band of Kumeyaay Indians enclosing invoice for services rendered | LUNA221437 | LUNA221442 | Will |
| P1761 | 11/2/1999 | Attorney Process & Investigation Services, Inc.'s Memorandum to James Townsend regarding Limited Due Diligence investigation of First Nation, LLC and individuals Robert J. Gagnard, Rodney L. Savoy, Patrick Minchey | ALLI000155 | ALLI000159 | May |
| P1762 | 3/2/2000 | Letter from First Nation Gaming (FNG) to Robert Saxon, Alliance Gaming Corporation enclosing Assignment of Option Agreement and Termination Agreement approving the content | ALLI000900 | ALLI000915 | May |
| P1763 | 2/29/2000 | Email from Mark Lerner to James Townsend cc to Robert Saxton regarding Cuyapaipe Agreements | ALLI000916 | ALLI000929 | May |
| P1764 | 12/6/1999 | Letter from Patrick Minchey, First Nation Gaming to Bob at 6601 South Bermuda Road, Las Vegas Nevada 89119 regarding meeting with Alliance Gaming | ALLI001150 | ALLI001150 | May |
| P1765 | 1/4/2000 | Letter from Rodney Savoy, First Nation Gaming to Robert Saxton, Alliance Gaming Corporation regarding Ewiiapaayp Tribe | ALLI001151 | ALLI001152 | May |
| P1766 | 9/3/1999 | First Nations Gaming Certification by the Secretary of State of Delaware for a change of name to First Nation Gaming | ALLI001194 | ALLI001194 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1767 | 8/25/1999 | First Nations Gaming Certification by the Secretary of State of Delaware for filing a copy of the certificate of limited liability company | ALLI001195 | ALLI001195 | May |
| P1768 | 10/13/1999 | Biographies of Patrick Minchey, David Vandiver, Setsuko "Sam" Donham, Earl Barbry, Robert Gagnard, Alfred Barbre | ALLI001196 | ALLI001199 | May |
| P1769 | 4/20/2000 | Letter from James Townsend, Dorsey & Whitney to John Peebles, Peebles and Evans regarding settlement terms between First Nation Gaming and Cuyapaipe Band Tribe | DW-P006785 | DW-P006785 | May |
| P1770 | 4/20/2000 | Letter from John Peebles, Monteau & Peebles to James Townsend, Dorsey & Whitney responding to Townsend's letter regarding settlement between First Nation Gaming and Cuyapaipe Band Tribe | DW-P006786 | DW-P006786 | May |
| P1771 | 4/6/2000 | Letter from John Peebles, Monteau & Peebles to James Townsend, Dorsey & Whitney regarding First Nation Gaming LLC/Ewiiapaayp Band of Mission Indians discussing possible settlement | DW-P006809 | DW-P006810 | May |
| P1772 | 2/2/2000 | Letter from Rodney Savoy, First Nation Gaming to Tony Pinto, Ewiiapaayp Tribal Office Regarding the letter of intent signed by T. Pinto on 2/2/2000 | DW-P006824 | DW-P006826 | May |
| P1773 | 4/28/2000 | Email from Jim Townsend to Dennis Nelson cc to James Oegema, Bradley Downes, Donald Buch, James Penney regarding First Nations Gaming | DW-P007096 | DW-P007096 | May |
| P1774 | 4/20/2000 | Email from Jim Townsend to Paula Colucci cc to James Penney, Donald Buch, James Oegema, Bradley Downes, Mark Jarboe regarding Peebles whereabouts | DW-P007099 | DW-P007100 | May |
| P1775 | 2/23/2000 | Draft Termination Agreement | DW-P036659 | DW-P036670 | May |
| P1776 | 1/7/2000 | Letter from First Nation Gaming to Jim Penny, Ewiiapaayp Tribe regarding "buying" the present contract with Alliance | DW-P049160 | DW-P049165 | May |
| P1777 | 4/6/2000 | Attorney Process & Investigation Services, Inc.'s Facsimile from Dennis Nelson to James Townsend regarding report on First Nation Gaming | DW-P050662 | DW-P050665 | May |
| P1778 | n/a | Draft Letter from J. Peebles, Monteau & Peebles to Robert Gagnard First Nation Gaming | LUNA016078 | LUNA016078 | May |
| P1779 | 3/31/2000 | Dorsey Invoice to Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation | LUNA016176 | LUNA016220 | May |
| P1780 | 4/20/2000 | Email from Jim Townsend to Paula Colucci cc to James Penney, Donald Buch, James Oegema, Bradley Downes, Mark Jarboe regarding Fax received from Peebles in response to yours | LUNA016098 | LUNA016099 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|------------|------------|--------------|
| P1781 | 12/5/2003 | AES Statement and Invoice to Ewiiapaayp Band of Mission Indians in connection with Ewiiapaayp Project | LUNA221043 | LUNA221046 | Will |
| P1782 | 12/23/2003 | Holland & Knight Invoice for services rendered to Ewiiapaayp Band of Kumeyaay Indians aka Cuyapaipe Band of Mission Indians | LUNA221047 | LUNA221052 | Will |
| P1783 | 12/11/2007 | Email from William Micklin, Ewiiapaayp Band of Indians to Jim Oegema cc to Michael Garcia regarding BB invoice attaching Platinum Advisors LLC's Statement and Invoice | LUNA221463 | LUNA221466 | Will |
| P1784 | 00/00/2007 | Platinum Advisors LLC's Statements and Invoices to Ewiiapaayp Band of Kumeyaay Indians | LUNA221443 | LUNA221451 | Will |
| P1785 | 11/5/2007 | Email from William Micklin, Ewiiapaayp Band of Indians to Jim Oegema cc to Michael Garcia enclosing Bradley Bledsoe Downes (BDR) invoice for services rendered | LUNA221506 | LUNA221509 | Will |
| P1786 | 7/24/2000 | Invoice from Environmental Science Associates to Jim Penny, Cuyapaipe Band of Mission Indians Tribe | DW-P049004 | DW-P049006 | Will |
| P1787 | 8/29/2000 | Invoice from Environmental Science Associates to Jim Penny, Cuyapaipe Band of Mission Indians Tribe | DW-P050631 | DW-P050632 | Will |
| P1788 | 1/2/2001 | Facsimile from Action Gaming Management Company, Linda Pierce to Brad Downes attaching a copy of Letter of Credit dated 12/26/2000 from Comerica Bank | DW-P048932 | DW-P048935 | May |
| P1789 | 4/21/2003 | Facsimile from Luna Entertainment, Jim Oegema to Brad Downes enclosing invoices from Alexander, Berkey, Williams & Weathers to Southern Indian Health Council | DW-P047101 | DW-P047106 | Will |
| P1790 | 9/5/2008 | 2001 Current Conflict Issues Memorandum | DW-P053192 | DW-P053211 | Will |
| P1791 | n/a | Dorsey & Whitney Ethics Manual | DW-P052859 | DW-P052880 | Will |
| P1792 | 6/14/2000 | Memorandum regarding Southern Indian Health Council, Inc. - Conflict of Interest (no author or recipient) | LUNA161158 | LUNA161169 | Will |
| P1793 | 4/20/2000 | Email from Jim Townsend to James Penney, Donald Buch, Robert Saxton, Mark Lerner, James Oegema cc to Paula Colucci, Mark Jarboe, Bradley Downes, Brenda Pionk regarding Dorsey Fees | DW-P032241 | DW-P032241 | Will |
| P1794 | 6/21/2000 | Draft Dorsey Invoice/Bill to Action Gaming in connection with Gaming Development/Land Acquisition | DW-P060661 | DW-P060678 | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|------------|------------|--------------|
| P1795 | 2/18/2000 | Dorsey Statement of Account Invoice for services to North American Gaming regarding Little River Band of Ottawa Indians | DW-P059870 | DW-P059907 | Will |
| P1796 | 7/28/1997 | Dorsey Statement of Account Invoice for services to North American Gaming regarding Little River Band of Ottawa Indians | DW-P060776 | DW-P060784 | Will |
| P1797 | 5/19/2000 | Draft Dorsey Invoice/Bill to Action Gaming in connection with Gaming Development/Land Acquisition | DW-P060631 | DW-P060652 | Will |
| P1798 | 7/31/2000 | Draft Dorsey Invoice/Bill to Action Gaming in connection with Gaming Development/Land Acquisition | DW-P060653 | DW-P060660 | Will |
| P1799 | 1/21/2000 | Dorsey Statement of Account Invoice for services to North American Gaming regarding Little River Band of Ottawa Indians | DW-P059845 | DW-P059869 | Will |
| P1800 | 8/26/2002 | Letter from Harlan Pinto, Ewiiapaayp Tribal Office to Tom Celani, Luna Gaming regarding 8/22/2002 letter | LUNA033401 | LUNA033404 | May |
| P1801 | 7/15/1998 | Activity Report regarding Meeting with Planning Group Chairman from the Desk of Craig O. Lake | ALLI000741 | ALLI000746 | May |
| P1802 | n/a | Draft Assignment of Option Agreement | ALLI001168 | ALLI001170 | May |
| P1803 | n/a | Handwritten notes regarding File UCCs in CA, Dorsey & Whitney Opinion | DG00013 | DG00013 | May |
| P1804 | n/a | Tom Celani Action Gaming Cuyapaipe Transaction Documents list | DG00014 | DG00014 | May |
| P1805 | 3/24/2000 | Email from Mark Jarboe to Jim Townsend, James Oegema, Don Buch regarding California mentioning Loan Agreement | DG00015 | DG00015 | May |
| P1806 | 3/26/2000 | Email from Jim Townsend to Robert Saxton, Mark Lerner regarding Closing | DG00016 | DG00016 | May |
| P1807 | n/a | Undated letter from Jim Townsend to Tom Celani, Action Gaming regarding wire transfer enclosing wire transfer instructions | DW-P004677 | DW-P004678 | Will |
| P1808 | 6/15/2001 | Email from Don Buch to Jim Oegema regarding Ruis Curo Property and Related | DW-P007464 | DW-P007465 | May |
| P1809 | 10/24/2000 | Email from Jim Townsend to James Penny, Michael Garcia cc to James Oegema, Virginia Boylan, Mark Jarboe, Bradley Downes, Philip Baker-Shenk, Cindy Darcy regarding H.R. 5477 | DW-P007532 | DW-P007532 | May |
| P1810 | 8/25/2000 | Email from Jim Townsend to Bradley Downes, Don Buch cc to James Oegema regarding Briefing NCG re Legal Background on Current Site | DW-P007555 | DW-P007556 | May |
| P1811 | 5/24/2000 | Email from James Oegema to Jim Townsend, Don Buch, Bradley Downes, Michael Broich cc to ewtribal@cts.com, Mark Lerner, young_ec@pillsburylaw.com regarding Closing on Property | DW-P007566 | DW-P007568 | May |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|--------------|------------|--------------|
| P1812 | 4/24/2000 | Email from Jim Townsend to James Penny, Don Buch, Robert Saxton, Mark Lerner, James Oegema cc to Paula Colucci, Mark Jarboe, Bradley Downes, Brenda Pionk regarding Dorsey Fees attaching Dorsey Summary Invoice 33100 | LUNA016146 | LUNA016146 | May |
| P1813 | 5/9/2000 | Email from Jim Townsend to Jim Townsend, James Oegema cc to Paula Colucci, Don Buch regarding Dorsey Fees | DW-P032244 | DW-P032245 | Will |
| P1814 | 3/31/2000 | Dorsey & Whitney invoice number 768566 for \$145,529.74 for services 2/15/2000 | LUNA 016176 | | Will |
| P1815 | 4/21/2000 | Dorsey & Whitney invoice number 774374 for \$97,791.01 for services 3/31/2000 | LUNA 111476 | | Will |
| P1816 | 6/15/2000 | Dorsey & Whitney invoice number Redacted 774374 for \$6,186.25 for services 3/31/2000 | LUNA 016502 | | Will |
| P1817 | n/a | Dorsey & Whitney invoice number 791023 for \$59,658.66 for services 3/31/2000 | DW-P045204 | | Will |
| P1818 | 5/19/2000 | Dorsey & Whitney invoice number 781034 for \$45,652.50 for services 4/30/2000 | LUNA 111500 | | Will |
| P1819 | 6/15/2000 | Dorsey & Whitney invoice number Redacted 781034 for services 4/30/2000 | LUNA 016496 | | Will |
| P1820 | 6/21/2000 | Dorsey & Whitney invoice number 788343 for \$59,658.66 for services 5/31/2000 | LUNA 0162032 | | Will |
| P1821 | 6/20/2000 | Dorsey & Whitney invoice number 789933 for \$2,812.91 for services 5/31/2000 | LUNA 016512 | | Will |
| P1822 | 8/21/2000 | Dorsey & Whitney invoice number 10177 for \$757.78 for services 6/7/2000 | DW-P016505 | | Will |
| P1823 | 7/21/2000 | Dorsey & Whitney invoice number 797944 for \$16,519.16 for services 6/30/2000 | LUNA 016900 | | Will |
| P1824 | 8/30/2000 | Dorsey & Whitney invoice number 808223 for \$42,491.21 for services 7/31/2000 | LUNA 017212 | | Will |
| P1825 | 9/29/2000 | Dorsey & Whitney invoice number 813311 for \$47,859.45 for services 8/31/2000 | LUNA 047685 | | Will |
| P1826 | 8/31/2000 | Dorsey & Whitney invoice number 994436 for \$139,748.57 for services 8/31/2000 | LUNA 041172 | | Will |
| P1827 | 11/27/2000 | Dorsey & Whitney invoice number 10256 for \$320.03 for services 8/31/2000 | DW-P016503 | | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|-------------|-----------|--------------|
| P1828 | 10/25/2000 | Dorsey & Whitney invoice number 820902 for \$26,430.46 for services 9/30/2000 | LUNA 112103 | | Will |
| P1829 | 9/29/2000 | Dorsey & Whitney invoice number 820902 for \$26,430.46 for services 9/30/2000 | LUNA 047685 | | Will |
| P1830 | 12/22/2000 | Dorsey & Whitney invoice number 10256 for \$307.42 for services 9/30/2000 | DW-P016501 | | Will |
| P1831 | 11/21/2000 | Dorsey & Whitney invoice number 829650 for \$22,389.50 for services 10/31/2000 | LUNA 019114 | | Will |
| P1832 | 12/26/2000 | Dorsey & Whitney invoice number 839219 for \$64,591.19 for services 11/30/2000 | LUNA 019749 | | Will |
| P1833 | 1/22/2001 | Dorsey & Whitney invoice number 846993 for \$3,810.44 for services | LUNA 020037 | | Will |
| P1834 | 1/22/2001 | Dorsey & Whitney invoice number 846993 for \$57,925.69 for services 12/31/2000 | LUNA 155194 | | Will |
| P1835 | | Dorsey & Whitney invoice number 849994 for \$57,925.69 for services 12/31/2000 | DW-P045222 | | Will |
| P1836 | 2/28/2001 | Dorsey & Whitney invoice number 853273 for \$691.68 for services 1/31/2001 | LUNA 020138 | | Will |
| P1837 | 2/16/2001 | Dorsey & Whitney invoice number 10549 for \$427.25 for services 1/31/2001 | DW-P016497 | | Will |
| P1838 | 3/23/2001 | Dorsey & Whitney invoice number 860078 for \$41,588.84 for services 2/28/2001 | LUNA 020292 | | Will |
| P1839 | 4/27/2001 | Dorsey & Whitney invoice number 870286 for \$43,759.10 for services 3/31/2001 | LUNA 020344 | | Will |
| P1840 | 5/25/2001 | Dorsey & Whitney invoice number 872019 for \$32,458.41 for services 4/30/2001 | LUNA 015948 | | Will |
| P1841 | 6/22/2001 | Dorsey & Whitney invoice number 880632 for \$44,734.28 for services 5/31/2001 | LUNA 048093 | | Will |
| P1842 | 7/25/2001 | Dorsey & Whitney invoice number 891678 for \$4,898.00 for services 6/30/2001 | LUNA 051112 | | Will |
| P1843 | 7/25/2001 | Dorsey & Whitney invoice number 888966 for \$34,548.94 for services 6/30/2001 | DW-P044840 | | Will |
| P1844 | 7/25/2001 | Dorsey & Whitney invoice number 888984 for \$553.42 for services 6/30/2001 | DW-P044858 | | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|-------------|-----------|--------------|
| P1845 | 8/00/2001 | Dorsey & Whitney invoice number 895507 for \$44,272.26 for services 7/31/2001 | LUNA 015980 | | Will |
| P1846 | | Dorsey & Whitney invoice number 895339 for \$222.00 for services 7/31/2001 | DW-P044891 | | Will |
| P1847 | | Dorsey & Whitney invoice number 895343 for \$3,590.35 for services 7/31/2001 | DW-P044894 | | Will |
| P1848 | 9/28/2001 | Dorsey & Whitney invoice number 907009 for \$34,170.58 for services 8/31/2001 | LUNA 015961 | | Will |
| P1849 | n/a | Dorsey & Whitney invoice number 907010 for \$3,542.00 for services 8/31/2001 | DW-P044927 | | Will |
| P1850 | n/a | Dorsey & Whitney invoice number 907011 for \$339.19 for services 8/31/2001 | DW-P044931 | | Will |
| P1851 | n/a | Dorsey & Whitney invoice number 911004 for \$127,114.91 for services 9/30/2001 | DW-P044934 | | Will |
| P1852 | n/a | Dorsey & Whitney invoice number 911006 for \$749.50 for services 9/30/2001 | DW-P044943 | | Will |
| P1853 | n/a | Dorsey & Whitney invoice number 911224 for \$4,636.49 for services 9/30/2001 | DW-P044946 | | Will |
| P1854 | 11/21/2001 | Dorsey & Whitney invoice number Revised-917584 for \$78,248.91 for services 10/31/2001 | LUNA 001036 | | Will |
| P1855 | n/a | Dorsey & Whitney invoice number 917638 for \$5,397.35 for services 10/31/2001 | DW-P044966 | | Will |
| P1856 | n/a | Dorsey & Whitney invoice number 918274 for \$1,078.40 for services 10/31/2001 | DW-P044971 | | Will |
| P1857 | 12/19/2001 | Dorsey & Whitney invoice number 926981 for \$22,530.05 for services 11/30/2001 | LUNA 008413 | | Will |
| P1858 | 2/11/2002 | Dorsey & Whitney invoice number 926981 for \$22,530.05 for services 11/30/2001 | LUNA 011832 | | Will |
| P1859 | 11/30/2001 | Dorsey & Whitney invoice number 926981 for \$22,530.05 for services 11/30/2001 | LUNA 033553 | | Will |
| P1860 | n/a | Dorsey & Whitney invoice number 926987 for \$283.84 for services 11/30/2001 | DW-P044984 | | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|-------------|-----------|--------------|
| P1861 | n/a | Dorsey & Whitney invoice number 926992 for \$220.00 for services 11/30/2001 | DW-P044987 | | Will |
| P1862 | n/a | Dorsey & Whitney invoice number 927011 for \$82.50 for services 11/30/2001 | DW-P044989 | | Will |
| P1863 | n/a | Dorsey & Whitney invoice number 927406 for \$1,123.90 for services 11/30/2001 | DW-P044991 | | Will |
| P1864 | 1/22/2002 | Dorsey & Whitney invoice number 934117 for \$19,958.42 for services 12/3/2001 | LUNA 000599 | | Will |
| P1865 | 2/11/2002 | Dorsey & Whitney invoice number 934117 for \$19,958.42 for services 12/31/2001 | LUNA 011814 | | Will |
| P1866 | n/a | Dorsey & Whitney invoice number 934118 for \$522.50 for services 12/31/2001 | DW-P045006 | | Will |
| P1867 | n/a | Dorsey & Whitney invoice number 934119 for \$440.00 for services 12/31/2001 | DW-P045009 | | Will |
| P1868 | n/a | Dorsey & Whitney invoice number 942866 for \$526.00 for services 1/31/2002 | DW-P045012 | | Will |
| P1869 | n/a | Dorsey & Whitney invoice number 943225 for \$68,896.75 for services 1/31/2002 | DW-P045015 | | Will |
| P1870 | 3/18/2002 | Dorsey & Whitney invoice number 948391 for \$26,904.43 for services 2/28/2002 | LUNA 011627 | | Will |
| P1871 | n/a | Dorsey & Whitney invoice number 948399 for \$866.34 for services 2/28/2002 | DW-P044867 | | Will |
| P1872 | n/a | Dorsey & Whitney invoice number 948402 for \$569.00 for services 2/28/2002 | DW-P043625 | | Will |
| P1873 | 4/22/2002 | Dorsey & Whitney invoice number 958148 for \$44,345.22 for services 3/31/2002 | LUNA 000459 | | Will |
| P1874 | 4/22/2002 | Dorsey & Whitney invoice number 958148 for \$44,345.22 for services 3/31/2002 | LUNA 004664 | | Will |
| P1875 | n/a | Dorsey & Whitney invoice number 958151 for \$570.00 for services 3/31/2002 | DW-P045031 | | Will |
| P1876 | 6/7/2002 | Dorsey & Whitney invoice number Revised-964016 for \$50,676.93 for services 4/30/2002 | LUNA 004684 | | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|-------------|-----------|--------------|
| P1877 | 5/22/2002 | Dorsey & Whitney invoice number 964016 for \$50,676.93 for services 4/30/2002 | LUNA 010719 | | Will |
| P1878 | 7/8/2002 | Dorsey & Whitney invoice number 970238 for \$33,531.04 for services 5/31/2002 | LUNA 001691 | | Will |
| P1879 | 7/8/2002 | Dorsey & Whitney invoice number 970238 for \$33,531.04 for services 5/31/2002 | LUNA 011849 | | Will |
| P1880 | 7/17/2002 | Dorsey & Whitney invoice number 978936 for \$35,222.00 for services 6/30/2002 | LUNA 001675 | | Will |
| P1881 | 8/26/2002 | Dorsey & Whitney invoice number 989791 for \$32,073.63 for services 7/31/2002 | LUNA 001659 | | Will |
| P1882 | n/a | Dorsey & Whitney invoice number 989792 for \$55.00 for services 7/31/2002 | DW-P043730 | | Will |
| P1883 | 9/27/2002 | Dorsey & Whitney invoice number 994436 for \$38,921.90 for services 8/31/2002 | LUNA 001641 | | Will |
| P1884 | 10/15/2002 | Dorsey & Whitney invoice number 1002687 for \$28,968.49 for services 9/30/2002 | LUNA 001626 | | Will |
| P1885 | n/a | Dorsey & Whitney invoice number 1002688 for \$526.75 for services 9/30/2002 | DW-P045064 | | Will |
| P1886 | 11/15/2002 | Dorsey & Whitney invoice number 1011336 for \$49,294.66 for services 10/31/2002 | LUNA 000007 | | Will |
| P1887 | 12/16/2002 | Dorsey & Whitney invoice number 1020338 for \$44,404.03 for services 11/30/2002 | LUNA 006415 | | Will |
| P1888 | 1/24/2003 | Dorsey & Whitney invoice number 1028429 for \$21,877.57 for services 12/31/2002 | LUNA 002030 | | Will |
| P1889 | n/a | Dorsey & Whitney invoice number 1032368 for \$28,717.93 for services 1/31/2003 | DW-P045096 | | Will |
| P1890 | n/a | Dorsey & Whitney invoice number 1044745 for \$36,486.83 for services 2/28/2003 | DW-P045110 | | Will |
| P1891 | n/a | Dorsey & Whitney invoice number 1046114 for \$23,693.78 for services 3/31/2003 | DW-P045127 | | Will |
| P1892 | 5/23/2003 | Dorsey & Whitney invoice number 1058202 for \$15,993.22 for services 4/30/2003 | LUNA 005017 | | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|-------------|-----------|--------------|
| P1893 | 5/22/2003 | Dorsey & Whitney invoice number 1058365 for \$3,923.20 for services 4/30/2003 | LUNA 005014 | | Will |
| P1894 | n/a | Dorsey & Whitney invoice number 1066479 for \$13,426.53 for services 5/31/2003 | DW-P045151 | | Will |
| P1895 | n/a | Dorsey & Whitney invoice number 1066480 for \$91.50 for services 5/31/2003 | DW-P045160 | | Will |
| P1896 | n/a | Dorsey & Whitney invoice number 1066482 for \$1,616.50 for services 5/31/2003 | DW-P045162 | | Will |
| P1897 | 7/24/2003 | Dorsey & Whitney invoice number 1073254 for \$14,398.01 for services 6/30/2003 | LUNA 007509 | | Will |
| P1898 | n/a | Dorsey & Whitney invoice number 1071562 for \$1,546.50 for services 6/30/2003 | DW-P045166 | | Will |
| P1899 | n/a | Dorsey & Whitney invoice number 1076936 for \$91.50 for services 7/31/2003 | DW-P045180 | | Will |
| P1900 | n/a | Dorsey & Whitney invoice number 1077037 for \$29,690.58 for services 7/31/2003 | DW-P045183 | | Will |
| P1901 | n/a | Dorsey & Whitney invoice number 1084139 for \$14,600.57 for services 8/31/2003 | DW-P045195 | | Will |
| P1902 | n/a | Dorsey & Whitney invoice number 1095883 for \$13,116.56 for services 9/30/2003 | DW-P045240 | | Will |
| P1903 | n/a | Dorsey & Whitney invoice number 1099277 for \$19,037.05 for services 10/31/2003 | DW-P045248 | | Will |
| P1904 | n/a | Dorsey & Whitney invoice number 1107441 for \$2,177.50 for services 11/30/2003 | DW-P045254 | | Will |
| P1905 | n/a | Dorsey & Whitney invoice number 1115030 for \$16,629.25 for services 12/31/2003 | DW-P045259 | | Will |
| P1906 | n/a | Dorsey & Whitney invoice number 1123169 for \$21,393.59 for services 1/31/2004 | DW-P045268 | | Will |
| P1907 | n/a | Dorsey & Whitney invoice number 1123170 for \$4,438.75 for services 1/31/2004 | DW-P045278 | | Will |
| P1908 | 2/24/2004 | Dorsey & Whitney invoice number 1591007 for \$3,393.37 for services 2/15/2004 | LUNA 008145 | | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|--------------|-----------|--------------|
| P1909 | n/a | Dorsey & Whitney invoice number 1129887 for \$28,275.38 for services 2/29/2004 | DW-P045281 | | Will |
| P1910 | 1/11/2005 | Dorsey & Whitney invoice number 1136209 for \$1,115.69 for services 3/31/2004 | LUNA 012645 | | Will |
| P1911 | n/a | Dorsey & Whitney invoice number 1136217 for \$5,798.42 for services 3/31/2004 | DW-P045291 | | Will |
| P1912 | n/a | Dorsey & Whitney invoice number 1136218 for \$7,104.25 for services 3/31/2004 | DW-P045297 | | Will |
| P1913 | n/a | Dorsey & Whitney invoice number 1156390 for \$7,954.03 for services 4/30/2004 | DW-P045302 | | Will |
| P1914 | n/a | Dorsey & Whitney invoice number 1156391 for \$1,534.99 for services 4/30/2004 | DW-P045308 | | Will |
| P1915 | 1/11/2005 | Dorsey & Whitney invoice number 1164204 for \$160.50 for services 5/31/2004 | LUNA 0012642 | | Will |
| P1916 | n/a | Dorsey & Whitney invoice number 1164202 for \$8,490.32 for services 5/31/2004 | DW-P045312 | | Will |
| P1917 | n/a | Dorsey & Whitney invoice number 1164203 for \$15,286.25 for services 5/31/2004 | DW-P045318 | | Will |
| P1918 | n/a | Dorsey & Whitney invoice number 1172416 for \$15,156.10 for services 6/30/2004 | DW-P045326 | | Will |
| P1919 | n/a | Dorsey & Whitney invoice number 1172417 for \$1,719.50 for services 6/30/2004 | DW-P045334 | | Will |
| P1920 | n/a | Dorsey & Whitney invoice number 1176472 for \$13,068.70 for services 7/31/2004 | DW-P045338 | | Will |
| P1921 | n/a | Dorsey & Whitney invoice number 1176473 for \$23,387.83 for services 7/31/2004 | DW-P045346 | | Will |
| P1922 | 8/26/2004 | Dorsey & Whitney invoice number 1674053 for \$11,684.60 for services 8/15/2004 | LUNA 002134 | | Will |
| P1923 | n/a | Dorsey & Whitney invoice number 1184809 for \$21,637.36 for services 8/31/2004 | DW-P045352 | | Will |
| P1924 | 1/11/2005 | Dorsey & Whitney invoice number 1190414 for \$7,059.31 for services 9/30/2004 | LUNA 0012637 | | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|---|-------------|-----------|--------------|
| P1925 | n/a | Dorsey & Whitney invoice number 1197181 for \$10,834.93 for services 10/31/2004 | DW-P045366 | | Will |
| P1926 | n/a | Dorsey & Whitney invoice number 1197182 for \$315.00 for services 10/31/2004 | DW-P045372 | | Will |
| P1927 | 11/24/2004 | Dorsey & Whitney invoice number 1712841 for \$1,346.85 for services 11/15/2004 | LUNA 002388 | | Will |
| P1928 | n/a | Dorsey & Whitney invoice number 1203508 for \$11,171.25 for services 11/30/2004 | DW-P045375 | | Will |
| P1929 | n/a | Dorsey & Whitney invoice number 1211622 for \$7,488.53 for services 12/31/2004 | DW-P045381 | | Will |
| P1930 | n/a | Dorsey & Whitney invoice number 1211623 for \$526.50 for services 12/31/2004 | DW-P045387 | | Will |
| P1931 | 1/26/2005 | Dorsey & Whitney invoice number 1739401 for \$4,005.70 for services 1/15/2005 | LUNA 007924 | | Will |
| P1932 | n/a | Dorsey & Whitney invoice number 1225560 for \$1,627.35 for services 2/28/2005 | DW-P045395 | | Will |
| P1933 | n/a | Dorsey & Whitney invoice number 1231586 for \$1,282.01 for services 3/31/2005 | DW-P045400 | | Will |
| P1934 | n/a | Dorsey & Whitney invoice number 1236853 for \$10,158.75 for services 4/30/2005 | DW-P045403 | | Will |
| P1935 | n/a | Dorsey & Whitney invoice number 1236854 for \$202.50 for services 4/30/2005 | DW-P045408 | | Will |
| P1936 | n/a | Dorsey & Whitney invoice number 1236855 for \$254.47 for services 4/30/2005 | DW-P045410 | | Will |
| P1937 | n/a | Dorsey & Whitney invoice number 1237645 for \$2,102.30 for services 4/30/2005 | DW-P045412 | | Will |
| P1938 | 5/20/2005 | Dorsey & Whitney invoice number 1793224 for \$11,133.26 for services 5/15/2005 | LUNA 000580 | | Will |
| P1939 | n/a | Dorsey & Whitney invoice number 1243582 for \$4,019.59 for services 5/31/2005 | DW-P045415 | | Will |
| P1940 | n/a | Dorsey & Whitney invoice number 1243585 for \$167.50 for services 5/31/2005 | DW-P045420 | | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|-------------|-----------|--------------|
| P1941 | 6/22/2005 | Dorsey & Whitney invoice number 1806599 for \$5,387.46 for services 6/15/2005 | LUNA 000484 | | Will |
| P1942 | n/a | Dorsey & Whitney invoice number 1251465 for \$5,120.22 for services 6/30/2005 | DW-P045423 | | Will |
| P1943 | n/a | Dorsey & Whitney invoice number 1251484 for \$306.80 for services 6/30/2005 | DW-P045428 | | Will |
| P1944 | 7/27/2005 | Dorsey & Whitney invoice number 1820623 for \$4,542.68 for services 7/15/2005 | LUNA 006702 | | Will |
| P1945 | n/a | Dorsey & Whitney invoice number 1257529 for \$9,186.23 for services 7/31/2005 | DW-P045432 | | Will |
| P1946 | 8/24/2005 | Dorsey & Whitney invoice number 1833152 for \$5,991.94 for services 8/15/2005 | LUNA 004505 | | Will |
| P1947 | n/a | Dorsey & Whitney invoice number 1265191 for \$2,916.03 for services 8/31/2005 | DW-P045437 | | Will |
| P1948 | n/a | Dorsey & Whitney invoice number 1270550 for \$4,231.84 for services 9/30/2005 | DW-P045440 | | Will |
| P1949 | n/a | Dorsey & Whitney invoice number 1277984 for \$1,701.00 for services 10/31/2005 | DW-P045444 | | Will |
| P1950 | n/a | Dorsey & Whitney invoice number 1290643 for \$2,124.18 for services 11/30/2005 | DW-P045448 | | Will |
| P1951 | n/a | Dorsey & Whitney invoice number 1296253 for \$3,678.42 for services 12/31/2005 | DW-P045452 | | Will |
| P1952 | n/a | Dorsey & Whitney invoice number 1301791 for \$928.12 for services 1/31/2006 | DW-P045457 | | Will |
| P1953 | n/a | Dorsey & Whitney invoice number 1327700 for \$21.60 for services 5/31/2006 | DW-P045461 | | Will |
| P1954 | n/a | Dorsey & Whitney invoice number 1376563 for \$149.50 for services 12/31/2006 | DW-P044865 | | Will |
| P1955 | 3/31/2000 | Dorsey & Whitney invoice number 768566 for \$145,529.74 for services | LUNA 016147 | | Will |
| P1956 | 9/29/2000 | Dorsey & Whitney invoice number 813311 for \$5,719.95 for services | LUNA 017658 | | Will |
| P1957 | 9/22/2000 | Dorsey & Whitney invoice number 813311 for services | LUNA 043105 | | Will |

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|-------------|-----------|--------------|
| P1958 | 12/23/2003 | Holland & Knight invoice number 1566238 for \$8,352.00 for services 12/22/2003 | | | Will |
| P1959 | 1/22/2004 | Holland & Knight invoice number 1576883 for \$1,970.90 for services 1/14/2004 | LUNA 220961 | | Will |
| P1960 | 2/24/2004 | Holland & Knight invoice number 1591007 for \$3,393.37 for services 2/15/2004 | LUNA 220898 | | Will |
| P1961 | 3/24/2004 | Holland & Knight invoice number 1605668 for \$102.60 for services 3/15/2004 | LUNA 220902 | | Will |
| P1962 | 4/22/2004 | Holland & Knight invoice number 1620228 for \$1,848.37 for services 4/15/2004 | LUNA 009958 | | Will |
| P1963 | 5/20/2004 | Holland & Knight invoice number 1632391 for \$324.69 for services 5/15/2004 | LUNA 167303 | | Will |
| P1964 | 6/22/2004 | Holland & Knight invoice number 1646454 for \$3,719.52 for services 6/15/2004 | LUNA 166894 | | Will |
| P1965 | 7/21/2004 | Holland & Knight invoice number 1659352 for \$4,320.00 for services 7/15/2004 | LUNA 066691 | | Will |
| P1966 | 8/24/2004 | Holland & Knight invoice number 1674053 for \$11,684.60 for services 8/15/2004 | LUNA 166450 | | Will |
| P1967 | 9/21/2004 | Holland & Knight invoice number 1685127 for \$8,256.46 for services 9/15/2004 | LUNA 166307 | | Will |
| P1968 | 10/22/2004 | Holland & Knight invoice number 1699687 for \$7,541.68 for services 10/15/2004 | LUNA 220625 | | Will |
| P1969 | 11/18/2004 | Holland & Knight invoice number 1712841 for \$1,346.85 for services 11/15/2004 | LUNA 165907 | | Will |
| P1970 | 12/15/2004 | Holland & Knight invoice number 1725449 for \$1,193.50 for services 12/8/2004 | LUNA 001099 | | Will |
| P1971 | 1/24/2005 | Holland & Knight invoice number 1739401 for \$4,005.70 for services 1/15/2005 | LUNA 165125 | | Will |
| P1972 | 2/22/2005 | Holland & Knight invoice number 1752061 for \$764.20 for services 2/15/2005 | LUNA 165090 | | Will |
| P1973 | 4/25/2005 | Holland & Knight invoice number 1779076 for \$7,561.39 for services 4/15/2005 | LUNA 006841 | | Will |

Plaintiff Luna Gaming - San Diego, LLC's First Amended Exhibit List - June 5, 2009

| EX. NO. | DOCUMENT DATE | EXHIBIT DESCRIPTION | BEG BATES | END BATES | MAY/WILL USE |
|---------|---------------|--|-------------|-------------|--------------|
| P1974 | 5/20/2005 | Holland & Knight invoice number 1793224 for \$11,133.26 for services 5/15/2005 | LUNA 164860 | | Will |
| P1975 | 6/22/2005 | Holland & Knight invoice number 1806599 for \$5,387.46 for services 6/15/2005 | LUNA 164809 | | Will |
| P1976 | 7/25/2005 | Holland & Knight invoice number 1820623 for \$4,542.68 for services 7/15/2005 | LUNA 164771 | | Will |
| P1977 | 8/22/2005 | Holland & Knight invoice number 1833152 for \$5,991.54 for services 8/15/2005 | LUNA 164689 | | Will |
| P1978 | 2/23/2007 | Holland & Knight invoice number 2063412 for \$4,653.34 for services 2/14/2007 | LUNA 220365 | | Will |
| P1979 | 3/12/2007 | Bledsoe Downes & Rosier invoice number 10090 for \$832.50 for services 2/28/2007 | LUNA 220346 | | Will |
| P1980 | 5/19/1999 | Articles of Organization Manistee Gaming LLC | LUNA082056 | LUNA082057 | Will |
| P1981 | 3/27/2000 | Articles of Organization Action Gaming LLC in Michigan and Statement of Information by State of California | LUNA032501 | LUNA032501 | Will |
| P1982 | 3/19/2001 | Certificate of Amendment to the Articles of Organization Action Gaming LLC in Michigan | LUNA032497 | LUNA032497 | Will |
| P1983 | 4/16/2001 | Articles of Organization Luna Entertainment LLC in Michigan | LUNA059932 | LUNA059933 | Will |
| P1984 | 6/28/2001 | Certificate of Amendment to the Articles of Organization Luna Entertainment - Corning LLC in Michigan | LUNA059934 | LUNA059934 | Will |
| P1985 | 7/18/2002 | Limited Liability Company Statement of Information in California for Luna Gaming - Corning LLC | LULNA059922 | LULNA059922 | Will |
| P1986 | 7/2/2001 | Michigan Certificate of Amendment to the Articles of Luna Gaming - San Diego LLC (2 pages) | n/a | n/a | Will |
| P1987 | 6/3/1993 | Articles of Incorporation of TVC Enterprises Development Company | n/a | n/a | Will |

1 Luna Gaming – San Diego, LLC v. Dorsey & Whitney, LLP, et al.
2 U.S. District Court Case No.: 06-cv-2804 BTM WMc

3 **PROOF OF SERVICE**

4 I, the undersigned, say that I am over 18 years of age, employed in the County of Los
5 Angeles, California, in which county the within-mentioned service occurred; and that I am not a
6 party to the subject cause. My business address is 865 South Figueroa Street, 10th Floor, Los
7 Angeles, California 90017. On June 5, 2009, I served the following document(s):

8
9 **1. PLAINTIFF'S FIRST AMENDED PRETRIAL DISCLOSURES PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 26(A)(3)**

10 to each addressee named hereafter as follows:

11 **Co-Counsel for Plaintiff**
12 **Luna Gaming – San Diego, LLC**

13 Edward D. Chapin, Esq.
14 Jill M. Sullivan, Esq.
15 Douglas J. Brown, Esq.
16 Chapin Wheeler LLP
17 550 West C Street, Suite 2000
18 San Diego, CA 92101
19 Tel: (619) 241-4810
20 Fax: (619) 955-5318
21 Email: ed@chapinwheeler.com
jill@chapinwheeler.com
dbrown@chapinwheeler.com

22 **Co-Counsel for Plaintiff**
23 **Luna Gaming – San Diego, LLC**

24 Rodger D. Young, Esq.
25 Jaye Quadrozzi, Esq.
26 Young & Susser, P.C.
27 26200 American Drive, Suite 305
28 Southfield, MI 48034
Tel: (248) 353-8620
Fax: (248) 353-6559
Email: young@youngpc.com

///

Attorneys for Defendants

Bradley Grant Bledsoe Downes and Bledsoe Downes & Rosier, P.C.

Miles D. Scully, Esq.
Thomas J. Stoddard, Esq.
Gordon & Rees, LLP
101 West Broadway, Suite 1600
San Diego, CA 92101
Tel: (619) 696-6700
Fax: (619) 696-7124
Email: tstoddard@gordonrees.com

Attorneys for Defendant

Dorsey & Whitney LLP

Kurt C. Peterson, Esq.
Lorenzo Gasparetti, Esq.
Michael A. Garabed, Esq.
Reed Smith LLP
355 South Grand Avenue, Suite 2900
Los Angeles, CA 90071
Tel: (213) 457-8000
Fax: (213) 457-8080
Email: LGasparetti@ReedSmith.com

David J. Noonan, Esq.
KIRBY NOONAN LANCE & HOGE LLP
350 Tenth Avenue, Suite 1300
San Diego, CA 92101
Tel: (619) 231-8666
Fax: (619) 231-9593
Email: dnoonan@knlh.com


Attorneys for Defendants

Holland & Knight, LLP and Philip M. Baker-Shenk

Carey L. Cooper, Esq.
Klinedinst, PC
501 W. Broadway, Suite 600
San Diego, CA 92101
Tel: (619) 239-8131
Fax: (619) 238-8707
Email: CCooper@klinedinstlaw.com

- 1 (X) BY ELECTRONIC FILING. I am familiar with the United States District Court,
 2 Southern District of California's practice for collecting and processing electronic filings.
 3 Under that practice, documents are electronically filed with the Court. The Court's
 4 CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the
 5 assigned judge, and any registered users in the case. The NEF will constitute service of
 6 the document. Registration as a CM/ECF user constitutes consent to the electronic
 7 service through the Court's transmission facilities. Under said practice, the above-parties
 8 were served via CM/ECF.
- 9 () BY MAIL. I am familiar with this firm's practice of collection and processing
 10 correspondence for mailing with the United States Postal Service, and that the
 11 correspondence shall be deposited with the United States Postal Service this same day in
 12 the ordinary course of business to the last known address of the person or his/her attorney
 13 of record pursuant to Federal Rule of Civil Procedure § 5(b)(2)(B).
- 14 () BY FAX. In addition to service by mail as set forth above, a copy of said document(s)
 15 was/were also delivered by facsimile transmission to the addressees pursuant to Federal
 16 Rule of Civil Procedure § 5(b)(2)(D).
- 17 () BY OVERNIGHT. I deposited said document(s) in a box or other facility regularly
 18 maintained by the express service carrier providing overnight delivery pursuant to Code
 19 of Civil Procedure §1013(c).
- 20 () BY PERSONAL SERVICE. I caused to be hand-delivered via messenger said
 21 document(s) to the addressee shown above pursuant to Federal Rule of Civil Procedure
 22 § 5(b)(2)(A).
- 23 () BY EMAIL. The document stated herein was transmitted by email and the transmission
 24 was reported as complete and without error. A transmission report was properly issued
 25 indicating the date and time of receipt of the transmission.

26 I hereby certify that I am employed in the office of a member of the Bar of this Court at
 27 whose direction the service was made. I hereby certify under penalty of perjury that the
 28 foregoing is true and correct. Executed on June 5, 2009.


 Valerie Roddy